



# भारत का राजपत्र The Gazette of India

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No. 51] NEW DELHI, SATURDAY, DECEMBER 16, 2000/AGRAHAYANA 25, 1922

इस भाग में चिल्ल पृष्ठ संख्या दी जाती है जिससे कि यह अपना संस्करण के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be used as a  
separate compilation

## भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेशों और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

वित्त मंत्रालय  
(राजस्व विभाग)

केन्द्रीय उत्पाद शुल्क आयुक्त का कार्यालय :  
मद्रुरै, 27 नवम्बर, 2000  
सं० 08/2000-सीमा शुल्क-(एन.टी.)

का. आ. 2712—सीमा शुल्क अधिनियम 1962 धारा 9  
जो भारत सरकार, वित्त मंत्रालय, राजस्व विभाग,  
नई दिल्ली के अधिसूचना सं. 33/94-सीमा शुल्क (एन.टी.) दिनांक  
1/7/94 के साथ पठित, द्वारा प्रदत्त शक्तियों का प्रयोग  
करते हुए मैं एतद् द्वारा तमिलनाडु राज्य के शिवगंगी जिला,  
देवक्कोट्टे तालुका पन्मुखनाथपुरम के "पेरटुक्कोट्टे गांव को  
सीमा शुल्क अधिनियम 1962 (1962 का 52) के अधीन  
शत प्रतिशत निर्यातानुमुख उपक्रम स्थापित करने हेतु भांडागार  
घोषित करता हूं।

[फाईल : सी. सं. IV/16/112/2000-टी. 2]  
एन. शशिधरन, आयुक्त

MINISTRY OF FINANCE  
(Department of Revenue)

OFFICE OF THE COMMISSIONER OF CENTRAL  
EXCISE  
Madurai, the 27th November, 2000  
No. 8/2000-CUSTOMS (N.T.)

S.O. 2712.—In exercise of the powers conferred on  
me under Section 9 of the Customs Act, 1962 (52 of 1962)  
read with Notification No. 33/94-Customs (NT) dated 1-7-94  
of the Government of India, Ministry of Finance, Depart-  
ment of Revenue, New Delhi, I hereby declare "PERAT-  
TUKOTTAI VILLAGE", SHANMUGNATHAPURAM  
DEVAKOTTAI TALUK, SIVAGANGAI DISTRICT" in  
the State of Tamilnadu to be a warehousing station under  
the Customs Act, 1962 (52 of 1962) for the purpose of  
setting up of 100 per cent Export Oriented Undertakings.

[File C. No. IV/16/112/2000-T. 2]  
N. SASIDHARAN, Commissioner

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 27 नवम्बर, 2000

का.आ.2713.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 की उपधारा (1) के खंड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा निम्नलिखित व्यक्तियों को 27 नवम्बर, 2000 से चार वर्ष की अवधि के लिए, भारतीय रिजर्व बैंक के केन्द्रीय निदेशक बोर्ड में निदेशकों के रूप में नामित करती है:—

1. श्री कुशल पाल सिंह,  
अध्यक्ष, डीएलएफ, ग्रुप,  
14, औरंगजेब रोड,  
नई दिल्ली-110001.
2. प्रोफेसर विजय शंकर व्यास,  
प्रोफेसर इमेरिटस,  
इंस्टीट्यूट ऑफ डेवलपमेंट्स स्टडीज,  
बसुन्धरा कालोनी, गोपालपुरा बायपास,  
टोंक रोड, जयपुर-302018.
3. श्री दवेन्द्र सिंह बरार,  
मु. का.अ. एवं प्रबन्ध निदेशक,  
रेनबैवसी लेबोरेटरीज लिमिटेड,  
ग्रीन फील्ड फार्म, गदाई पुर,  
जौनपुर रोड, ग्राम जौनपुर,  
तहसील महरौली,  
नई दिल्ली-30.
4. प्रो. सी.एन.आर.राव,  
मानद अध्यक्ष,  
जवाहर लाल नेहरू सेंटर फार एडवान्स्ड साइनेटिफिक  
रिसर्च,  
डॉकघर जक्कूर,  
बेंगलूर-560064.
5. श्री होमी फ़िरोज रेनिना,  
एडवोकेट, भारत के उच्चतम न्यायालय,  
506, हेज. सेंटर,  
214, वेकबे रिक्लमेशन,  
फ्री प्रेस जर्नल रोड,  
बेंगलूर-560023.
6. श्री एन.आर. नारायण मूर्ति,  
अध्यक्ष एवं प्रबन्ध निदेशक,  
इन्फोसीज टेक लिमिटेड,  
575, 21वीं मं, चौथा, टी ब्लॉक,  
जयानगर, बेंगलूर-561241.

7. श्री रतन एन. टाटा,  
अध्यक्ष,  
टाटा इंडस्ट्रीज लिमिटेड,  
बाम्बे हाउस,  
24, होमी मोदी स्ट्रीट,  
मुम्बई-400021.

8. डा. अमृता पटेल,  
अध्यक्ष,  
राष्ट्रीय डेरी विकास बोर्ड,  
आनन्द-388001.

9. श्री सुरेश कृष्ण,  
अध्यक्ष एवं प्रबन्ध निदेशक,  
सुन्दरम लिमिटेड,  
पोइस गार्डन,  
चेन्नई-600086.

10. डा. अशोक शेखर गांगुली,  
अध्यक्ष,  
आई सी आई इण्डिया लिमिटेड,  
5. मालाबार न्यायालय,  
बी.जी.खेर रोड, मालाबार हिल,  
मुम्बई-400006.

2. भारतीय रिजर्व बैंक अधिनियम, 1934 की धारा 8 की उपधारा (4) के प्रावधानों के अनुसार, उपर्युक्त पैरा 1 में उल्लिखित निदेशकों की नियुक्ति हो जाने के परिणाम-स्वरूप, भारतीय रिजर्व बैंक के केन्द्रीय निदेशक बोर्ड में मनोनीत निम्नलिखित वर्तमान, निदेशक दिनांक 27 नवम्बर, 2000 से निदेशक नहीं रहेंगे:—

1. डा. सरदारा सिंह जोहल
2. डा. सी.एच. हनुमन्त राव
3. डा. भाई मोहन सिंह
4. डा. एम. एल. सहारे
5. श्री जी. रामचन्द्रन
6. श्री विपिन मलिक

(फा. सं. 7/6/98-बी. ग्री. I(i))

शेखर अग्रवाल, संयुक्त सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 27th November, 2000

S.O. 2713.—In exercise of the powers conferred by clause (c) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates the following persons to be the directors of the Central Board of Directors of Reserve Bank of India, for a period of four years with effect from 27th November, 2000:—

1. Shri Kushal Pal Singh,  
Chairman,  
DLF Group,  
14, Aurangzeb Road,  
New Delhi-110001.

2. Professor Vijay Shankar Vyas,  
Professor Emeritus,  
Institute of Development Studies,  
Vasundhara Colony,  
Gopal Pura Bypass,  
Tonk Road,  
Jaipur-302018.
3. Shri Davinder Singh Brar,  
CEO and Managing Director,  
Ranbaxy Laboratories Limited,  
Green Field Farm,  
Gadai Pur,  
Jaunapur Road,  
Village Jaunapur,  
Tehsil Mehrauli,  
New Delhi-30.
4. Professor C. N. Rao,  
Honorary President,  
Jawaharlal Nehru Centre for advanced  
Scientific Research,  
Jakkur P.O.,  
Bangalore-560064.
5. Mr. Homi Phiroze Ranina,  
Advocate,  
Supreme Court of India,  
506, Raheja Centre,  
214 Backbay Reclamation,  
Free Press Journal Road,  
Mumbai-400023.
6. Shri N. R. Narayana Murthy,  
Chairman and Managing Director,  
Infosys Tech Ltd.,  
575, 21st Man,  
4th, T Block,  
Jayanagar,  
Bangalore-561241.
7. Shri Ratan N. Tata,  
Chairman,  
Tata Industries Ltd.,  
Bombay House,  
24, Homi Mody Street,  
Mumbai-400021.
8. Dr. Amrita Patel,  
Chairperson,  
National Dairy Development Board,  
Anand-388001.
9. Shri Suresh Krishna,  
Chairman and Managing Director,  
Sundaram Fastners Limited,  
Poes Garden,  
Chennai-600086.
10. Dr. Ashok Sekhar Ganguly,  
Chairman,  
ICI India Ltd.,  
5, Malabar Court,  
B. G. Kher Road,  
Malabar Hill,  
Mumbai-400006.

2. In accordance with the provisions of sub-section (4) of section 8 of the Reserve Bank of India Act, 1934, consequent to appointment of the directors as mentioned in para 1 above the following existing directors nominated on the Central Board of Directors of Reserve Bank of India shall cease to be directors with effect from 27th November, 2000.

1. Dr. Sardara Singh Jhul
2. Dr. C. H. Hanumantha Rao
3. Dr. Bhai Mohan Singh
4. Dr. M. L. Shahare
5. Shri G. Ramachandran
6. Shri Vipin Malik

[F. No. 7/6/98-B.O. I(i)]  
SHEKHAR AGARWAL, Jt. Secy.

नई दिल्ली, 27 नवम्बर, 2000

का.आ.2714.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा प्रोफेसर मिहिर रक्षित, निदेशक, मौद्रिक अनुसंधान परियोजना, आईसीआर ए लि. पांचवा तल, एफएमसी फोर्चुना ए. 10 एवं ए11, तीसरा तल, 234/33 एन्नीसी बोस रोड, कलकत्ता-700020 को दिनांक 27 नवम्बर, 2000 से चार वर्ष की अवधि के लिए भारतीय रिजर्व बैंक के पूर्वी क्षेत्र के स्थानीय बोर्ड में सदस्य के रूप में नियुक्त करती है।

[फा. सं. 7/6/98-बी.ओ. I (ii)]

शेखर अग्रवाल, संयुक्त सचिव

New Delhi, the 27th November, 2000

S.O. 2714.—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Professor Mihir Rakshit, Director Monetary Research Project, ICRA Ltd., Fifth Floor, FMC Fortuna A10 & A11, 3rd Floor, 234/3A, AJC Bose Road, Calcutta-700020 to be the Member of the Eastern Area Local Board of the Reserve Bank of India for a period of four years with effect from 27th November, 2000.

[No. 7/6/98-B.O. I(ii)]

SHEKHAR AGARWAL, Jt. Secy.

नई दिल्ली, 27 नवम्बर, 2000

का.आ.2715.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, एतद्वारा श्री वाई.एच. मालेगम, सनदी लेखाकार, मैसर्स बिलो-मोरिया एण्ड कं. मेहेर चेम्बर्स (दूसरा तल), आर. कामानी रोड, बेलार्ड इस्टेट मुम्बई-400001 को 27 नवम्बर, 2000 से चार वर्षों की अवधि के लिए भारतीय रिजर्व बैंक के पश्चिमी क्षेत्र के स्थानीय बोर्ड में सदस्य के रूप में नियुक्त करती है।

[फा. सं. 7/6/98. बी.ओ. I(iii)]

शेखर अग्रवाल, संयुक्त सचिव

New Delhi, the 27th November, 2000

S.O. 2715.—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri Y. H. Malegam, Chartered Accountant, M/s. S. B. Billimoria & Co., Meher Chambers (2nd Floor) R. Kamani Road, Ballard Estate, Mumbai-400001 to be the Member of the Western Area Local Board of the Reserve Bank of India for a period of four years with effect from 27th November, 2000.

[F. No. 7/6/98-B.O. I(iii)]

SHEKHAR AGARWAL, Jt. Secy.

नई दिल्ली, 27 नवम्बर, 2000

का.आ.2716.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री के. माधव राव, सेवानिवृत्त आई ए. एस. दोसरा तल,

बुद्ध भवन, एम. जी. रोड, सिकन्दराबाद-560003 को दिनांक 27 नवम्बर, 2000 से चार वर्ष की अवधि के लिए भारतीय रिजर्व बैंक के दक्षिणी क्षेत्र के स्थानीय बोर्ड में सदस्य के रूप में नियुक्त करती है।

[फा. सं. 7/6/98-बीओ-I(iv)]

शेखर अग्रवाल, संयुक्त सचिव

New Delhi, the 27th November, 2000

S.O. 2716.—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri K. Madhava Rao, Retd. IAS, 3rd Floor, Budha Bhawan, M.G. Road, Secundrabad-560003 to be the Member of the Southern Area Local Board of the Reserve Bank of India for a period of four years with effect from 27th November, 2000.

[F. No. 7/6/98-B.O. I(iv)]

SHEKHAR AGARWAL, Jt. Secy.

नई दिल्ली, 27 नवम्बर, 2000

का.अ. 2717.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उपधारा (1) द्वारा

नई दिल्ली, 27 नवम्बर, 2000

का.अ. 2718.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, चार स्थानीय बोर्डों के सदस्यों में से निम्नलिखित व्यक्तियों को 27 नवम्बर 2000 से भारतीय रिजर्व बैंक के केन्द्रीय निदेशक बोर्ड में निदेशक के रूप में नामित करती है:—

1. प्रोफेसर मिहिर रक्षित,  
निदेशक,  
मौद्रिक अनुसंधान परियोजना,  
आईसीआरए लि.,  
एफएमसी फोर्चुना, ए 10 एवं ए 11,  
तीसरा तल, 234/3ए, एजेंसी बोस रोड,  
कलकत्ता-700020

पूर्वी क्षेत्र स्थानीय बोर्ड से

2. श्री बाई. एच. मालेगम,  
सनदी लेखाकार,  
बिलीमोरिया एण्ड कं.,  
मेहर चेम्बर्स, (दूसरा तल),  
कामानी रोड, बेलार्ड इस्टेट,  
मुम्बई-400 001

पश्चिमी क्षेत्र स्थानीय बोर्ड से

3. श्री ए.पी.जे. अब्दुल कलाम,  
भारत सरकार के प्रधान वैज्ञानिक सलाहकार,  
विज्ञान भवन, एनेक्सी, मौलाना आज़ाद रोड,  
नई दिल्ली-110 001

उत्तरी क्षेत्र स्थानीय बोर्ड से

4. श्री के. माधव राव,  
सेवानिवृत्त आईएसएस  
तीसरा तल, बुद्ध भवन, रोड,  
सिकन्दराबाद-500 003

दक्षिणी क्षेत्र स्थानीय बोर्ड से

प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री ए.पी.जे. अब्दुल कलाम, प्रधान वैज्ञानिक सलाहकार, भारत सरकार, विज्ञान भवन सौंध, मौलाना आज़ाद रोड, नई दिल्ली-110001 को दिनांक 27 नवम्बर, 2000 से चार वर्ष की अवधि के लिए भारतीय रिजर्व बैंक के उत्तरी क्षेत्र के स्थानीय बोर्ड में सदस्य के रूप में नियुक्त करती है।

[फा. सं. 7/6/98-बी ओ-I(v)]

शेखर अग्रवाल, संयुक्त सचिव

New Delhi, the 27th November, 2000

S.O. 2717.—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri A. P. J. Abdul Kalam, Principal Scientific Adviser to Government of India, Vigyan Bhavan Annexe Maulana Azad Road, New Delhi-110001 to be the Member of the Northern Area Local Board of the Reserve Bank of India for a period of four years with effect from 27th November, 2000.

[F. No. 7/6/98-B.O. I(v)]

SHEKHAR AGARWAL, Jt. Secy.



2. भारतीय रिजर्व बैंक अधिनियम, 1934 की धारा 8 की उपधारा (4) के उपबंधों के अनुसरण में उपर्युक्त पैरा 1 किए गए उल्लेख के अनुसार निदेशकों की नियुक्ति के परिणामस्वरूप भारतीय रिजर्व बैंक के केन्द्रीय निदेशक बोर्ड में निदेशक के रूप में नामित निम्नलिखित वर्तमान निदेशक 27 नवम्बर से निदेशक नहीं रहेंगे :—

1. श्री जमशेद जीजी ईरानी
2. श्री पृथ्वीनाथ धर
3. श्री इरातू अय्यप्प रेड्डी

[फा.सं. 7/6/98-बी.ओ. I (vi)]

शेखर अग्रवाल, संयुक्त सचिव

New Delhi, the 27th November, 2000

S.O. 2718.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates the following persons from among the members of the four Local Boards, to be directors of the Central Board of Directors of Reserve Bank of India with effect from 27th November, 2000:—

- |  |                                |
|--|--------------------------------|
| 1. Professor Mihir Rakshit,<br>Director,<br>Monetary Research Project,<br>ICRA Ltd.<br>FMC Fortuna, A10 & A11, 3rd Floor,<br>234/3A, AJC Bose Road,<br>Calcutta-700020 | From Eastern Area Local Board  |
| 2. Shri Y.H. Malegam,<br>Chartered Accountant,<br>Billimoria & Co. Meher Chambers<br>(2nd Floor) Kamani Road, Ballard Estate,<br>Mumbai-400 001                        | From Western Area Local Board  |
| 3. Shri A.P.J. Abdul Kalam,<br>Principal Scientific Adviser to<br>Government of India<br>Vigyan Bhavan Annexe,<br>Maulana Azad Road,<br>New Delhi-110 001              | From Northern Area Local Board |
| 4. Shri K. Madhava Road,<br>Retd. IAS,<br>3rd Floor, Budha Bhawan, Road,<br>Secunderabad-500 003   | From Southern Area Local Board |

2. In accordance with the provisions of sub-section (4) of section 8 of the Reserve Bank of India Act, 1934, consequent to appointment of the directors as mentioned in para 1 above, the following existing directors nominated on the Central Board of Directors of the Reserve Bank of India shall cease to be directors with effect from 27th November, 2000

1. Shri Jamshed Jiji Irani
2. Shri Prthvi Nath Dhar
3. Shri Erasu Ayyapu Reddy

[No. 7/6/98-B.O.I(vi)]  
SHEKHAR AGARWAL, Jt. Secy.

वाणिज्य एवं उद्योग मंत्रालय

(वाणिज्य विभाग)

आदेश

नई दिल्ली, 28 नवम्बर, 2000

का.आ. 2719.—भारत के निर्यात व्यापार के विकास के लिए दुग्ध उत्पादों के निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण करने के लिए निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम 1964 के नियम 11 के उपनियम (2) की अपेक्षानुसार कतिपय प्रस्ताव भारत के राजपत्र भाग-II, खंड 3, उपखंड (ii) में तारीख 06-05-2000 को भारत सरकार के वाणिज्य एवं उद्योग मंत्रालय वाणिज्य विभाग के आदेश सं. का.आ. 939 तारीख 19-04-2000 द्वारा में प्रकाशित किया गया था,

2. और, उन सभी व्यक्तियों से जिनके उनसे प्रभावित होने की संभावना थी, इस आदेश के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिनों के भीतर आक्षेप तथा सुझाव आमंत्रित किए गए थे, और प्रकाशित राजपत्र की प्रतियां 11 मई, 2000 को जनता को उपलब्ध करा दी गयी थी,

3. और, यह आवश्यक है कि क्वालिटी के उच्चतम मानकों को और नियत स्वास्थ्य अपेक्षाओं को जो कि राष्ट्रीय/अंतर्राष्ट्रीय स्तर पर विहित मानकों की ओर लक्षित है, बनाए रखा जाएगा,

4. और स्वास्थ्य अपेक्षाएं दुग्ध उत्पादों के उत्पादन, भंडारण, परिवहन के लिए अधिकथित होनी चाहिए,

5. और, विशिष्ट रूप से यह भी महत्वपूर्ण है कि स्थापनों के अनुमोदन को शासित करने के लिए नियम अधिकथित किए जाएं,

6. और यह भी महत्वपूर्ण है कि दुग्ध उत्पादों द्वारा पूर्ण की जाने वाली स्वास्थ्य अपेक्षाओं अधिकथित की जाएं,

7. और प्रसंस्करण करने वालों का प्राथमिक दायित्व है कि वे यह सुनिश्चित करें कि दुग्ध उत्पाद इस आदेश में अधिकथित स्वास्थ्य संबंधी अपेक्षाओं को पूरा करते हैं,

8. और, सक्षम प्राधिकारी अनिवार्य रूप से क्वालिटी नियंत्रण निरीक्षण और मानीटरिंग करते हुए यह सुनिश्चित करना होगा कि प्रसंस्करणकर्ता उपर वर्णित अपेक्षाओं को पूरा करते हैं,

9. और, नियमों द्वारा शासित क्वालिटी नियंत्रण निरीक्षण और मानीटरिंग अनिवार्य रूप से अंतर्राष्ट्रीय बाजार की मांग को निर्धारण किया जाना चाहिए, पूर्ण करते हों,

10. और, आकस्मिक जांच अनिवार्य रूप से पदार्थों के अवशिष्टों का पता लगाने के लिए की जानी चाहिए जो मानव स्वास्थ्य को हानि पहुंचा सकते हैं,

11. और, आयात करने वाले देशों की अपेक्षाओं के संदर्भों में समानता की उपरोक्त शर्तों को सुनिश्चित करने के

लिए मानीटरिंग की प्रक्रिया बनाए रखने के लिए उपबंध किए जाने चाहिए

12. और, केन्द्रीय सरकार द्वारा नामनिर्दिष्ट सक्षम प्राधिकारी यह सुनिश्चित करें कि क्वालिटी मानकों का देश में प्रभावी ढंग से अनुपालन हो रहा है,

13. और, केन्द्रीय सरकार ने उक्त प्रयोजन के लिए निम्नलिखित विनिर्दिष्ट प्रस्ताव बनाए हैं, और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) की अपेक्षानुसार निर्यात निरीक्षण परिषद को भेज दिया है,

14. अतः अब, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, निर्यात निरीक्षण परिषद के परामर्श के उपरान्त यह राय है कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है, अर्थात् :—

(क) यह अधिमूर्चित किया जाए कि दुग्ध उत्पादों का निर्यात करने से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाएगा,

(ख) क्वालिटी नियंत्रण और निरीक्षण के प्रकार को इस आदेश से संलग्न उपलब्ध उपबंध में उपवर्णित दुग्ध उत्पाद निर्यात (क्वालिटी नियंत्रण और निरीक्षण और मानीटरिंग) नियम 2000 के प्रारूप के अनुसार ऐसे क्वालिटी नियंत्रण और निरीक्षण के प्रकार को इस रूप में विनिर्दिष्ट करना जो ऐसे दुग्ध उत्पादों पर निर्यात करने से पूर्व लागू होगा।

(ग) इस आदेश से उपाबद्ध अनुसूची में उपवर्णित विनिर्देशों को दुग्ध उत्पादों के लिए मानक विनिर्देशों के रूप में मान्यता देना।

(घ) अंतर्राष्ट्रीय व्यापार के दौरान किसी यूनिट द्वारा दुग्ध उत्पादों के निर्यात को तब तक प्रतिदिष्ट करना जब तक कि वह लागू मानकों के अनुरूप न हो तथा उसके उसके साथ ऐसा कथन करने वाला प्रमाण पत्र कि ऐसे यूनिट निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अधीन स्थापित निर्यात निरीक्षण अभिकरण द्वारा अनुमोदित और मानीटेर्ड है, न लगा हो।

15. इस आदेश को कोई भी बात शारीरिक शक्तों को भूमि, या समुद्र या वायुमार्ग द्वारा दुग्ध उत्पादों के उन वास्तविक नमूनों के निर्यात पर लागू नहीं होगी जिनका मूल्य समय-समय पर एकिसम पालिसी में यथा अधिकथित अनुज्ञेय सीमाओं से अधिक नहीं होगा और जहां ऐसे उपबंध नहीं हैं वहां निशुल्क नमूना/नमूने की मूल्य सीमा रु. 10,000/- से अधिक नहीं होगी।

16. इस आदेश में "दुग्ध उत्पाद" से अभिप्रेत है दुग्ध उत्पाद अर्थात् जो कि अनन्य रूप से दुग्ध से प्राप्त किए गए हैं यह स्वीकार है कि पदार्थ जो कि उनके निर्माण के लिए आवश्यक है, उन्हें बढ़ाया जा सकता है, परन्तु यह कि उन पदार्थों का उपयोग दुग्ध के संघटनों के भाग या पूर्ण रूप में प्रतिस्थापित न किया जा रहा हो, और विविध दुग्ध उत्पादों जिनको किसी भाग या किसी दुग्ध संघटक को प्रतिस्थापित करने के आशय से और जिसका दुग्ध या दुग्ध उत्पाद का आवश्यक भाग है या उत्पाद के लक्षण वर्णन के लिए या मात्रा की निबंधन से आवश्यक भाग है।

### अनुसूची

निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 की धारा 6 के खंड (ग) के अनुसार मान्यता प्राप्त दुग्ध उत्पादों के लिए विनिर्देश निम्नलिखित होंगे :—

(क) आयातित देशों के राष्ट्रीय मानक या कोडेक्स स्टैंडर्ड ऑफ कोडेक्स एलमेंट्रीअस कमीशन,

या

(ख) विदेशी श्रेता और नियतकों के बीच स्वीकृत किए गए संविदा विनिर्देश राष्ट्रीय मानकों के समान कम नहीं होंगे।

(ग) उपरोक्त (क) या (ख) की अनुपस्थिति में यथा अधिसूचित राष्ट्रीय मानक निर्देश लागू होंगे।

(घ) किसी दुग्ध उत्पादों की दशा में जिसके लिए (क) (ख) और (ग) के मानक उपलब्ध नहीं है, इन उत्पादों के लिए निम्नलिखित सदस्यों की स्थायी समिति द्वारा बनाया गया मानक लागू होगा।

1. अध्यक्ष कृषि और प्रसंस्कृत खाद्य उत्पाद अध्यक्ष निर्यात विकास प्राधिकरण
2. संयुक्त आयुक्त (डेयरी) पशुपालन और दुग्ध उद्योग विभाग कृषि मंत्रालय
3. उप आयुक्त (डेयरी विकास) सदस्य खाद्य प्रसंकरण, उद्योग मंत्रालय
4. राष्ट्रीय डेयरी विकास बोर्ड का एक प्रतिनिधि सदस्य
5. निदेशक राष्ट्रीय डेयरी अनुसंधान संस्थान करनाल सदस्य
6. भारतीय डेयरी संघ का एक प्रतिनिधि सदस्य
7. निर्यात निरीक्षण परिषद का प्रतिनिधि सदस्य

[फाईल सं. 6/1/2000-ई.आई.एण्ड.ई.पी.]

पी.के. दास, निदेशक

## MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

### ORDER

New Delhi, the 28th November, 2000

S.O. 2719.—Whereas, for the development of the export trade of India certain proposals for subjecting milk products to Quality Control and Inspection prior to export, were published as required by Sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules 1964 in the Gazette of India of Part II, Section 3, Sub-section (ii) dated 6-5-2000 vide order No. S.O. 939 dated 19-4-2000 of the Government of India in the Ministry of Commerce and Industry, Department of Commerce;

2. And, whereas, the objections and suggestions were invited from all persons likely to be affected thereby, within a period of forty five days of the copies of the said Gazette were made available to the public on 11-5-2000.

3. And whereas, it is necessary to maintain the higher quality standards and stipulate health requirements that would encompass the standards prescribed in National/International level;

4. And, whereas, health requirements should be laid down for the production, storage and transport of milk products;

5. And, whereas, in particular, it is important that rules be laid down governing the approval of establishments;

6. And, whereas, it is important also that the health requirements to be met by milk products be laid down;

7. And, whereas, it is the primarily responsibility of the processors to ensure that Milk products meet the health requirements laid down in this order;

8. And, whereas, the Competent Authority must by carrying out Quality Control, Inspection and monitoring, to ensure that processors comply with the above mentioned requirements;

9. And, whereas, the rules governing these Quality Control Inspections and Monitoring must take account of the demands of the international market;

10. And, whereas, a random check must be made to detect the presence of residues of substances liable to be harmful to human health;

11. And, whereas, provisions should therefore, be made as a procedure for monitoring to ensure the above conditions of equivalence with reference to the requirements of the importing countries;

12. And, whereas, Central Government nominated Competent Authority to ensure the effective compliance of the quality standards in the country;

13. And, whereas, the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council as required by sub-rule (2) of the rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

14. Now, therefore, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), Central Government after consulting the Export Inspection Council being of the opinion that it is necessary and expedient to do so, for the development of the export trade of India, hereby

(a) notifies that milk products shall be subjected to quality control and inspection prior to export;

(b) specifies the type of quality control and inspection in accordance with Export of milk products (Quality control, Inspection and Monitoring) Rules, 2000 as the type of Quality Control, Inspection and Monitoring which shall be applied to such milk products prior to export;

(c) recognises the specifications as set out in Schedule appended to this order as the standard specifications for milk products;

(d) Prohibits the export of milk products by a unit in the course of international trade unless it conforms to the standards applicable to it and is accompanied by a certificate stating that such unit is approved and monitored by the Export Inspection agency established under Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

15. Nothing in this order shall apply to the export by land or sea or air of bonafide samples of milk products to prospective buyers, the value of which shall not exceed permissible limits as laid down in EXIM Policy from time to time and where no such provisions exist the value limit of free sample(s) shall not exceed Rs. 10,000.

16. In this order, milk products means :—Milk products namely products exclusively derived from milk, it being accepted that substances necessary for their manufacture may be added, provided that these substances are not used to replace in part or in whole any milk constituents, and composite milk products of which not part replaces or is intended to replace any milk, constituents and of which milk or a milk products is an essential part either in terms of quantity or for characterization of the product.

#### SCHEDULE

Specifications for Milk Products recognised as per Clause (c) of section 6 of the export (Quality Control and Inspection) Act, 1963 shall be :

(a) National Standard of the importing countries or/ codex Standards of codex Alimentarius Commission.

#### OR

(b) Contractual specifications agreed to between the foreign buyer and the exporters provided the same is not below the national standards.

(c) In the absence of (a) or (b) above, the National Standard Specifications as notified shall apply.

(d) In case of any Milk Products for which no standard is available at (a), (b) and (c) above, the standard formulated for these products by the Standing Committee of the following members shall be made applicable.

#### CHAIRMAN

|  |          |
|--|----------|
| 1. Chairman, Agricultural and Processed Food Products Export Development Authority                 | Chairman |
| 2. Joint Commissioner (Dairy) Department of Animal Husbandry and Dairying, Ministry of Agriculture | Member   |
| 3. Deputy Commissioner (Dairy Development) Ministry of Food Processing Industries                  | Member   |
| 4. One representative of National Dairy Development Board  | Member   |
| 5. Director National Dairy Research Institute, Karnal  | Member   |
| 6. One representative of Dairy Association of India  | Member   |
| 7. Representative of Export Inspection Council   | Member   |

[F. No. 6/1/2000-EI&EP]  
P. K DAS, Director

नई दिल्ली, 28 नवम्बर, 2000

का.आ. 2720:—केन्द्रीय सरकार निर्यात, (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित नियम बनाती है, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ :

(क) इन नियमों का संक्षिप्त नाम दुग्ध उत्पाद-निर्यात (क्वालिटी नियंत्रण निरीक्षण और मानदण्ड) नियम 2000 है ।

(ख) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे ।

2. परिभाषा :

इस अधिसूचना में, जब तक संदर्भ से अन्यथा अपेक्षित न हो, निम्नलिखित परिभाषाएं लागू होंगी :

(क) “अधिनियम” से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम 1963 (1963 का 22) अभिप्रेत है,

(ख) “अभिकरण” से अधिनियम की धारा 7 के अधीन मुम्बई कलकत्ता, कोचीन दिल्ली और मद्रास में स्थापित निर्यात निरीक्षण अभिकरणों में से एक अभिप्रेत है,

(ग) “बैच” से उन्हीं शर्तों के अधीन तैयार किए गए तथा विशिष्ट रूप से एकल लगातार प्रचालन में अभिक्रमित दुग्ध उत्पादों की मात्रा अभिप्रेत है,

(घ) “प्रमाणपत्र” से अधिनियम की धारा 7 की उप-धारा (3) के अधीन जारी किया गया ऐसा प्रमाण पत्र अभिप्रेत है जिसमें यह कथन हो कि वस्तु क्वालिटी नियंत्रण और निरीक्षण की शर्तों के अनुरूप है,

(ङ) “संघट्ट केन्द्र” से ऐसा स्थापन अभिप्रेत है जहां कच्चा दुग्ध एकत्र किया जाता है और संभवतः ठंडा तथा छाना जाता है,

(च) “सक्षम प्राधिकारी” से अधिनियम की धारा 7 के अधीन मुम्बई, कलकत्ता, कोचीन, दिल्ली और मद्रास में स्थापित निर्यात निरीक्षण अभिकरणों में से कोई एक अभिकरण अभिप्रेत है,

(छ) “विविध दुग्ध उत्पाद” वह उत्पाद है जिसमें दुग्ध, दुग्ध उत्पाद या तो मात्रा के निबंधन में या उत्पाद के नाम निर्धारण लक्षण वर्णन के लिए आवश्यक भाग है,

(ज) परन्तु यह कि दुग्ध से प्राप्त न होने वाले संघटक किसी दुग्ध संघटक के आंशिक रूप में या संपूर्ण रूप में जगह न लेने के लिए आशयित नहीं है ।

(झ) “परेषण” से खाद्य उद्योग द्वारा और प्रसंस्करण के लिए या सीधे मानव उपयोग के लिए आशयित एक गंतव्य स्थान को एकल वितरण के लिए दुग्ध उत्पादों की कोई माथा अभिप्रेत है,

(झ) “परिषद” से अधिनियम की धारा 3 के अधीन स्थापित निर्यात निरीक्षण परिषद अभिप्रेत है,

(ञ) “प्रेषण का देश” से भारत अभिप्रेत है,

(ट) “गंतव्य का देश” से वह देश जिसको भारत से दुग्ध उत्पाद भेजे जाते हैं, अभिप्रेत है,

- (ठ) "उष्मा उपचार" से कोई भी उष्मा उपचार जिसके द्वारा दिए जाने के कारण तत्काल जब उसको दिया गया, फास्फेट टेस्ट की एक निषेधात्मक प्रतिक्रिया होती है, अभिप्रेत है,
- (ड) "समुद्रित वायुरोधी आधान" से ऐसा आधान अभिप्रेत है जो कि जब बंद किया जाता है तो उष्मा उपचार के दौरान तथा बाद में अंतर्वस्तुओं को सूक्ष्मजीवों के प्रवेश से बचाव के लिए आशयित है और जो अप्रवेश्य है,
- (ढ) "धृति" वह स्थापन जहां पर एक या एक से अधिक डेयरी पशु और उनके अनुसरण करने वाले रखे जाते हैं ,
- (ण) "दुग्ध उत्पाद" से अभिप्रेत है दुग्ध उत्पाद अर्थात् पदार्थ जो कि अनन्य रूप से दुग्ध से प्राप्त किए गए हैं यह स्वीकार है कि पदार्थ जो कि उनके निर्माण के लिए आवश्यक है उन्हें बढ़ाया जा सकता है ,
- परन्तु यह कि उन पदार्थों का उपयोग दुग्ध के संघटकों आंशिक भाग या पूर्ण रूप में प्रतिस्थापित न किया जा रहा हो और विविध दुग्ध उत्पादों जिनकी किसी भाग प्रतिस्थापन या किसी दुग्ध संघटक के प्रतिस्थापित करने के आशय से और जिसका दुग्ध या दुग्ध उत्पाद का आवश्यक भाग है या उत्पाद के लक्षण वर्णन के लिए या मात्रा के निबंधन से आवश्यक भाग है ।
- (त) "पैक करना" से दुग्ध उत्पादों को किसी भी रूप से पैक करके रखा जाना अभिप्रेत है;
- (थ) "पैकेजिंग" से एक या एक से अधिक लपेटे हुए या बिना लपेटे हुए उत्पादों को आधानों में रखा जाना अभिप्रेत है जिसमें स्वयं आधान भी हैं ,
- (द) "बाजार में विक्रय करना" से फुटकर विक्रय के अपवाद के साथ स्टॉक या विक्रय के साथ प्रदर्शन विक्रय के लिए प्रस्ताव करना, वितरण, या किसी अन्य रीति से निपटान सुनिश्चित रूप से फुटकर विक्रय के लिए राष्ट्रीय नियमों द्वारा अधिकृत जांच के अधीन रहते हुए होना अभिप्रेत है;
- (ध) "संयंत्र" से कोई भी परिसर जहां पर दुग्ध उत्पाद प्रसंस्कृत किए जाते हैं और उनका विनिर्माण किया जाता है, अभिप्रेत है ,
- (न) "पेय जल" से वह जल जो राज्य स्वास्थ्य प्राधिकरण या सक्षम प्राधिकारी को स्वीकार्य अन्य अभिकरणों या प्रयोगशाला द्वारा पीने के लिए सुरक्षित तथा खाद्य प्रसंस्करण के लिए उपयुक्त होने के रूप में अनुमोदित कर दिया गया हो, अभिप्रेत है;
- (प) "कच्चा दुग्ध" से एक या एक से अधिक गायों, भेड़ों, बकरियों या भैसों के स्तनग्रंथी स्तन

द्वारा उत्पादित दुग्ध अभिप्रेत है जो 40 डिग्री से. अधिक गर्म या जिसका कोई उपचार नहीं किया गया हो जो समतुल्य प्रभाव रखता हो;

- (फ) "तापान" दुग्ध में जीवों की संख्या को कम करने और आगे के प्रसंस्करण से पूर्व दुग्ध के भंडार को अधिक समय तक रखने के उद्देश्य से कच्चे दुग्ध के लिए प्रयुक्त उष्मा उपचार है और तापन दशाएं 15 से 20 सेकेंड के लिए 62 डिग्री से 65 डिग्री से. है । तापित दुग्ध सुनिश्चित रूप से फास्फेटेज घनात्मक होगा;
- (ब) "उपचार स्थापन" से ऐसा स्थापन या उत्पादन धृति अभिप्रेत है जहां दुग्ध और/या उत्पादों को उपचारित प्रसंस्कृत और पैक किया जाता है,
- (भ) "यूएचटी" (अत्युच्च ताप) उपचार" दुग्ध या क्रीम का उपचार एक उच्च तापमान/कम समय वाला उष्मा उपचार है, जिसका उद्देश्य वाणिज्यिक रूप से जीवाणु मुक्त उत्पाद के उत्पादन हो, जिसे कमरे के तापमान पर भंडारण किया जा सके । इस प्रक्रिया का उद्देश्य सभी सूक्ष्म जीवाणुओं को समाप्त करना है, किसी अपशिष्ट सूक्ष्म जीवाणु के रह जाने से सामान्य भंडारण की दशा में सड़ांध होने देने से भिन्न रूप से बचाव हो सके । यूएचटी उपचारित दुग्ध और क्रीम को जीवाणु मुक्त करके समुद्रित वायुरोधी आधान में पैक किया जाता है पूर्ण ताप उपचार उष्मारोधी जीवाणुओं के विरुद्ध न्यूनतम फारेनहाइट डिग्री 3 मिनट के लिए, की मात्रा में प्रभावी है के समतुल्य है ,

यूएचटी उपचार के लिए तापमान की रेंज 135-150 डिग्री सेंटी. ग्रेड के मध्य समुचित धारित समय के साथ प्रयोगात्मक 140 डिग्री से. पर 2-3 सेकेंड है ।

समुद्रित वायुरोधी आधान वे आधान है जिन्हें वह ऐसे डिजाइन और इस आशय से डिजाइन किए जाते हैं कि वह सूक्ष्म जीवाणु के प्रवेश के विरुद्ध सुरक्षित हो ।

- (म) "लपेटना" उत्पाद के संरक्षण के लिए प्रारम्भिक लपेटना या प्रारम्भिक आधान ये सीधे उत्पाद के साथ रखने यथास्थिति प्रारम्भिक रैपर या प्रारम्भिक आधान स्वयं भी है,

### 3. अनुपालन के आधार :

- (क) यह प्रसंस्कारकों का दायित्व है कि वे ये सुनिश्चित करें कि दुग्ध उत्पाद जिनका निर्यात होना आशयित है, उनकी संभाल उत्पादन के सभी स्तरों को प्रसंस्करण में, भंडारण और उनका परिवहन में स्वास्थ्यकर परिस्थितियों को पूरा किया जाए

जो कि इन नियमों के अधीन स्वास्थ्य अपेक्षाओं को पूरा करने के लिए विनिर्दिष्ट है और उत्पाद के अधिनियम की धारा 6 के अधीन केन्द्रीय सरकार द्वारा आदेश में दिए गए विनिर्देशों के अनुरूप है।

(ख) सक्षम प्राधिकारी ये सुनिश्चित करेगा कि सभी प्रसंस्कारक संयंत्र की नियमित मानीटरिंग की अपेक्षा को पूरा करेंगे जैसा कि इस भाग के पैरा में नियंत्रण मानको विहित किए गए हैं। योजना की प्रभावी मानीटरिंग करने के लिए समय-समय पर परिषद् इस बारे में आवश्यक अनुदेश जारी करेगी।

4. निर्यात करने के लिए दुग्ध उत्पाद निम्नलिखित शर्तों के अधीन होंगे :—

4.1 किसी राज्य/केन्द्रीय सरकार द्वारा समय-समय पर अधिरोपित वाणिज्य/पर्यावरण संरक्षण संबंधी उपायों की बाबत किसी भी कानूनी निर्बंधन का कठोरता में पालन किया जाएगा।

4.2 वे डेयरी के पशुओं से दुग्ध प्राप्त करने में उपाबंध क के मद 1 से 4 में दी गयी अपेक्षाओं को अवश्य पूरा किया जाएगा।

4.3 दुग्ध से भिन्न, केवल वे जिनमें अनुज्ञेय खाद्य संयोजी/प्रसंस्करण सहायक ही मानव उपयोग के लिए उपयुक्त हैं, अन्तर्विष्ट होंगे।

4.4 वे सुनिश्चित रूप से ऐसे अनुमोदित संयंत्र में उपचारित और तैयार किए जाएंगे जो उपाबंध-“ख” के अध्याय 1 और 2, अध्याय 5 और 6 का अनुपालन करता है और इन नियमों की अपेक्षाओं को पूरा करता है।

4.5 वे सुनिश्चित रूप से उपाबंध “ग” में अधिकथित अपेक्षाओं को पूरा करने वाले दुग्ध से उपाबंध “ख” की मद 2 और 5 का अनुपालन करने वाली स्वास्थ्यकर अपेक्षाओं के अधीन प्रसंस्कृत और/वा विनिर्मित किए गए हों।

4.6 ऐसा उपचारित प्रसंस्करण किया जाना चाहिए जो उन्हें अन्य बातों के साथ-साथ उपाबंध “ग” के मद 3 में अधिकथित विश्लेषण विनिर्देशों को पूरा करने के योग्य बनाने के लिए उनका सुनिश्चित रूप से उपचारित प्रसंस्करण किया जाना चाहिए।

4.7 उपाबंध “ग” की मद 5 के अनुसरण में वे सुनिश्चित रूप से स्वास्थ्य चिन्हांकन और लेबल लागू जाएंगे।

4.8 उपाबंध “ग” की मद 4 के अनुसरण में वे सुनिश्चित रूप से पैक किए जाएंगे।

4.9 उपाबंध “ग” की मद 6 के अनुसरण में सुनिश्चित रूप से भंडारण और परिवहन किए जाएंगे।

4.10 वह अवधि जिसके दौरान दुग्ध उत्पाद मानव उपभोग के लिए तथा भंडारण के योग्य है प्रसंस्कारकों द्वारा सूचित करना होगा।

4.11 विभिन्न जांचों और परीक्षणों के परिणामों को अभिलेखों को सक्षम प्राधिकरण को प्रस्तुत करने के लिए दो वर्ष तक रखा जाता है।

4.12 भेषज गुण विज्ञानी या हारमोनल क्रियाएं और प्रति जैविक नाशक भार, प्रक्षालक और अन्य पदार्थों के अवशिष्टों का पता लगाना जो दुग्ध उत्पादों के संवेदी लक्षणों को किसी सीमा तक परिवर्तित कर दें दुग्ध में नहीं होने चाहिए या उनका उपभोग मानव स्वास्थ्य के लिए खतरनाक या हानिकारक बना दें।

4.13 यदि परीक्षित दुग्ध उत्पाद नियत किए गए अनुज्ञात स्तर से अधिक आश्लिष्टों को दर्शाते हैं तो उन्हें खाद्य पदार्थों के विनिर्माण या सीधे मानव उपभोग के लिए अनुज्ञात नहीं किया जाएगा।

4.14 अपशिष्टों के लिए जांच राष्ट्रीय/अंतरराष्ट्रीय मान्यता प्राप्त पद्धति के अनुसरण की जाएगी।

4.15 सक्षम प्राधिकारी, यह संतुष्टि होने पर कि संयंत्र क्रियाकलापों की प्रकृति के संदर्भ में यदि वे को जाएंगी अपेक्षाओं को, वह उन्हें पूरा करता है ऐसे संयंत्र को एक वर्ष के लिए अनुमोदन देगा।

4.16 सक्षम प्राधिकारी, प्रसंस्करण संयंत्रों के अनुमोदन के मामले में एक-एक प्रतिनिधियों जैसे कृषि और प्रसंस्कृत खाद्य उत्पाद निर्यात विकास प्राधिकरण, निर्यात निरीक्षण परिषद्, खाद्य प्रसंस्करण उद्योग मंत्रालय राष्ट्रीय डेयरी विकास बोर्ड उद्योगों के प्रतिनिधि और राष्ट्रीय डेयरी अनुसंधान संस्थान के विशेषज्ञ इत्यादि की सहायता ले सकेगा।

4.17 सक्षम प्राधिकारी, अनुमोदित संयंत्रों की सूची तैयार करेगा प्रत्येक का शासकीय संख्यांक होगा और सक्षम प्राधिकारी अनुमोदित संयंत्रों की एक सूची जिसमें यदि कोई परिवर्तन के साथ समुचित प्राधिकारियों को देगा।

4.18 सक्षम प्राधिकारी द्वारा संयंत्र और पैकिंग केन्द्रों का नियमित रूप से यह सुनिश्चित करने के क्रम में कि इन नियमों का पालन किया जा रहा है निरीक्षण और मानीटरिंग की जाएगी। हर समय संयंत्र के सभी भागों में अवधि पहुंच सकेगा। उत्पादनों की स्वास्थ्य जांच व पर्यवेक्षण उपाबंध “घ” में दिए गए तत्वों के अनुसार की जाएगी।

## 5. प्रमाणीकरण :

(क) सक्षम प्राधिकारी, संयंत्र के निवेदन पर, कि दुग्ध उत्पाद अनुमोदित प्रसंस्करण संयंत्र में ही प्रसंस्कृत हो रहे हैं और इस पर विधिमान्य अनुमोदन संख्यांक है तथा अन्य संबंधित अपेक्षाएं पूरी कर ली गयी है इसमें संतुष्ट होने के पश्चात् निर्धारित प्रोफार्मा में स्वास्थ्य प्रमाणपत्र जारी करेगा।

(ख) सक्षम प्राधिकारी प्रसंस्करण कर्ता या निर्यातक के निवेदन पर यह समाधान ही जाने पर कि सुसंगत मानकों की अपेक्षाएं पूरी हो गयी है अस्पष्ट प्रमाणपत्र भी जारी कर मकेगा ।

6. फीस :

(क) दुग्ध प्रसंस्करण संयंत्र के अनुमोदन के लिए आवेदन पत्र के साथ रु. 5000/- की फीस के साथ प्रसंस्करण संदत्त करेगा ।

(ख) सक्षम प्राधिकारी, निर्यातक या प्रसंस्करणकर्ता द्वारा एफओवी के 0.2 प्रतिशत की दर पर फीस संदत्त करना ।

टिप्पण :

प्रसंस्कारकों/निर्यातकों द्वारा संदेय प्रत्येक परेपण के लिए फीस की रकम को निकटतम रूप में पूर्णांकित की जाएगी और इस प्रयोजन के लिए जहां ऐसी रकम में रूप का कोई भाग अंतर्विष्ट होता है तब यदि ऐसा भाग 50 पैसे या उससे अधिक है तो यह बढ़ाकर एक रूपया कर दिया जाएगा और ऐसा भाग 50 पैसे से कम है तो उसे छोड़ दिया जाएगा ।

7. सक्षम प्राधिकारी, यदि अपेक्षाओं को पूरा नहीं रखा जाता तो कार्रवाई करेगा ।

8. अपील :

8.1 यदि कोई व्यक्ति जो निम्नलिखित से व्यथित है:-

(i) सक्षम प्राधिकारी के विनिश्चय पर कि अनुमोदन नियम 4.15 के अनुसरण में ही है ।

(ii) सक्षम प्राधिकारी, इस अधिसूचना के नियम 5 के अनुसार पशु चिकित्सीय स्वास्थ्य प्रमाणपत्र जारी करने से इंकार करने पर,

(iii) सक्षम प्राधिकारी द्वारा इस अधिसूचना के नियम 7 के अनुसार प्रसंस्कारक/निर्यातक का अधिसूचना वापस लेने पर,

8.2 केन्द्रीय सरकार द्वारा नियुक्त अपील प्राधिकरण के पास सक्षम प्राधिकारी के विनिश्चय से व्यथित कोई व्यक्ति ऐसे विनिश्चय के प्राप्त होने पर 10 दिन के भीतर अपील कर सकेगा ।

8.3 केन्द्रीय सरकार, इस प्रयोजन के लिए पांच सदस्यों को नियुक्त कर अपील प्राधिकरण का गठन नियमानुसार करेगी ।

8.4 अपील का निपटारा अपील प्राप्त होने के 15 दिन के भीतर कर दिया जाएगा एवं इसका विनिश्चय अंतिम होगा ।

उपाबंध-क

उपचार और/या प्रसंस्करण स्थापनों पर कच्चे दुग्ध को स्वीकार करने संबंधी अपेक्षाएं

1. कच्चे दुग्ध के लिए पशुओं के स्वास्थ्य की अपेक्षाएं

1.1 कच्चा दुग्ध मूल रूप से प्राप्त निम्न का होगा -

(i) पशु जो स्पष्ट रूप से स्वस्थ है और उनमें दुग्ध के माध्यम से मनुष्य के शरीर में स्थानांतरण होने वाली छूया-छूत की बीमारी का कोई लक्षण स्पष्ट रूप से दिखाई न देता हो,

(ii) डेयरी के पशु जो असमान्य संवेदक अभिलक्षणों का दूध नहीं देते हैं

(iii) डेयरी के पशु जिनमें दूध की गुणवत्ता को प्रभावित करने वाला कोई थन में घाव न दिखाता हो,

(iv) पशु रोग संबंधी औषधियां जिन पशुओं को किसी प्रतिजैविक या दूसरे पशु चिकित्सा औषधि द्वारा उपचार किया गया है जो कि दुग्ध में स्थानांतरित हो सकते हैं उन पशुओं का दुग्ध संग्रह केन्द्र पर नहीं लाया जाएगा जब कि ऐसे उपचार के अनुसरण में निरीक्षण के अनुवर्ण में उस औषधि का प्रभाव रहने की श्रवधि पूरी न हो सके ।

2. रखरखाव संबंधी स्वास्थ्य विज्ञान

(1) वह धृति जहां से कच्चा दुग्ध प्राप्त हो रहा है इस प्रकार रख-रखाव किया जाएगा जिससे ऐसा सुनिश्चित किया जा सके, और

(क) वहां पशुओं के रखने के स्थान पर स्वच्छता, सफाई तथा स्वास्थ्य की अच्छी दशाएं हैं, और

(ख) दुग्ध निकालने, रखरखाव भंडारण तथा (जहां लागू हो) ठंडा करने के लिए स्वच्छता की स्थिति संतोषजनक है ।

(2) परिसर जहां पर, दुग्ध निकाला जाता है या दुग्ध को भंडारित किया जाता है जहां पर इसे रखरखाव या ठंडा किया जाता है उसका स्थल और/या निर्माण इस प्रकार से होना चाहिए कि वहां दुग्ध में समीप प्रकार के संदूषण का खतरा न हो ।

(3) पशुओं को रखने के परिसर/शेड समूचित रूप से साफ और हवादार तथा उचित सूर्य की रोशनी वाले बनाने के भरसक प्रयास किए जाएंगे । पानी के निकास के लिए पर्याप्त नालियां होंगी ताकि गंद इकठ्ठा न हो ।

(4) (i) पशुओं को साफ तथा शुष्क वातावरण में रखा जाएगा ।

(ii) नियमित रूप से पशुओं को रखने के परिसर/शेड में गोबर तथा बची हुई खरब खाल सामग्री को हटाया जाएगा ।

(5) पशुओं के शोषों को मक्खियों से मुक्त रखा जाएगा।  
 (6) पशुओं के दुग्ध निकालने का कार्य साफ तथा जहां तक संभव हो, शुष्क वातावरण में किया जाएगा।

(7) जहां दुग्ध देने वाले पशुओं को खुले क्षेत्र में रखा गया है, दुग्ध निकालने का क्षेत्र पशुओं की धृति से पर्याप्त रूप से अलग होना चाहिए।

(8) जिन पशुओं को छूत का रोग हो चुका है या जिनको छूत का रोग लग जाने का संदेह है, ऐसे पशुओं को शेष पशुओं के झुंड से सुनिश्चित रूप से अलग रखने की यथासंभव व्यवस्था की जाएगी।

(9) जिन स्थानों पर दुग्ध निकाला जाता है, रख-रखाव किया जाता है और भंडारित किया जाता है या ठंडा किया जाता है, उस स्थान से सभी प्रकार के पशुओं को दूर रखा जाएगा।

(10) धृतियों पर पशुओं का जहां तक संभव हो निरीक्षण किया जाएगा, ताकि यह सुनिश्चित किया जा सके कि पशुओं के स्वास्थ्य की अपेक्षाओं का पालन किया जा रहा है।

(11) उत्पादन धृतियों का नियमित रूप से जांच यह सुनिश्चित करने के लिए की जाएगी कि स्वच्छता संबंधी अपेक्षाओं का पालन किया जा रहा है। निरीक्षणों को बारंबारता को संबंधित धृतियों पर जोखिम के निवारण को भी ध्यान में रखकर की जाएगी। यदि निरीक्षणों से पता चलता है कि स्वच्छता अपर्याप्त है तो स्वच्छता संबंधी सुधार लाने के लिए उचित कदम उठाए जाएंगे।

3. दुग्ध निकालने, कच्चा दुग्ध एकत्रित करने और इसे उत्पादन धृतियों से संचय केन्द्रों तक या प्रसंस्करण स्थापनों तक परिवहन में स्वच्छता।

1. दुग्ध निकालने में स्वच्छता:—दुग्ध निकालने के उपस्कर

(i) दुग्ध निकालने के उपस्कर/वर्तन जंगरोधी धातु के बने होंगे, जिसका तला साफ और मुह चौड़ा होगा जिसको साफ करना आसान हो दुग्ध की संवेदी क्वालिटी पर प्रभाव न डालते हों।

(ii) दुग्ध निकालने के वर्तनों पर सुनिश्चित रूप से ढक्कन होंगे या वे ढके होंगे।

(iii) दुग्ध निकालने वाले वर्तनों को पूरी तरह से प्रक्षालकर से जैसे कि धोने वाला सोडा से धोया जाएगा और इसके पश्चात् पीने के पानी से खंगालना कर अधिमन्य रूप से इसे धूप में सुखाया जाएगा।

2. किसान के स्तर पर भंडारण की गतें :

(i) जहां तक हो सके दुग्ध संचय केन्द्र पर बंद डिब्बों में दुग्ध निकालने पश्चात् तुरन्त लाया जाएगा।

(ii) यदि दुग्ध निकालने के 4 घंटे के भीतर दूध एकत्र नहीं किया जाता तो इसे सुनिश्चित रूप से 7 डिग्री से. के तापमान या इससे कम पर ठंडा दो क्रमागत संग्रह के मामले में उन्हे नीचे या 4 डिग्री सेंटोग्रेड या यदि प्रति संग्रह नहीं किया जाता है तो नीचे ठंडा किया जाएगा जब दुग्ध यदि उपचार/और या प्रसंस्करण स्थापन में ल जाया जा रहा है तो तापमान सुनिश्चित रूप से 8 डिग्री से. से अधिक नहीं होगा।

(3) स्वास्थ्यकर दुग्ध निकालने की पद्धति

(क) खिलाना

दुग्ध देने वाले पशुओं को दान और चारा स्वादिष्ट, पोष्टिक, नुरक्षित तथा खिलाने के लिए उपयुक्त होगा और इसमें खार, जीव विष आदि के अवशिष्ट के अंतरण का जोखिम नहीं होगा।

(ख) पीड़क जन्तु

पीड़क जन्तु को इस प्रकार से समाप्त कर दिया जाएगा जिसके फलस्वरूप दुग्ध में किसी प्रकार का जीव नाशक मार, कीटनाशक, जहर आदि अवशिष्ट न रहे।

(ग) स्वास्थ्यकर दुग्ध निकालना

दुग्ध निकालने से पूर्व पशु के थन और उसके आवास के स्थान को अच्छी तरह से पानी से साफ किया जाएगा और उसे शुष्क कर लिया जाएगा। पशुओं को अच्छी प्रकार से सफाई की जाएगी और, उसके शरीर से बाल काटे जाएंगे जिससे कि दुग्ध में किसी प्रकार के संदूषण का जोखिम न रहे और पशुओं को नियमित रूप से नहलाया जाएगा।

प्रत्येक बार दुग्ध निकालने से पूर्व प्रत्येक थन से दुग्ध के नमूने लेकर उसको जांच की जाएगी ताकि वह दुग्धयुक्त न हो, और उपाय बूत, मवाद, पपड़ी आदि को दिखाई देने वाली अतिसामान्यता न हो। ऐसे दुग्ध को मानव के उपभोग के लिए प्रयोग नहीं किया जाएगा।

(4) कार्मिक की स्वच्छता

(i) कार्मिक विनिर्दिष्ट रूप से पूरी तरह से साफ सुधरा होगा अपेक्षित है :—

दुग्ध निकालने वाला कार्मिक अच्छे स्वास्थ्य के अवीन दुग्ध निकालेगा। उदाहरणार्थ उसे कोई बीमारी नहीं होनी चाहिए विशेषकर खांसी, और सर्दी, साफ कपड़े पहनेगा। हाथ धोएगा और दुग्ध निकालने से पहले समुचित रूप से हाथ धोएगा और समय-समय पर नाखून काटेगा।



इस प्रयोजन के लिए दुग्ध निकालने वाले स्थान के पास हाथ धोने के लिए अपेक्षित समुचित सुविधाएँ होंगी।

- (ii) इस बात को सुनिश्चित करने के लिए सावधानी बरतनी चाहिए कि जिन लोगों से कच्चे दुग्ध में संदूषण होने की आशंका हो, उनको दुग्ध संभालने नहीं दिया जाए।

(5) उत्पादन स्वच्छता

कच्चे दुग्ध में पानी मिलाने से रोकने के लिए उपयुक्त क्रियाविधि स्थापित की जाएगी।

(6) संचयन एवं अवशीतन केन्द्रों पर दुग्ध की प्राप्ति

(क) परिसर

दुग्ध संग्रह केन्द्रों के कक्षों में सुनिश्चित रूप से साफ और संतोषजनक रक्षोपाय करके संदूषण के जोखिम को न्यूनतम करेंगे। दुग्ध के आधानों और बतनों को साफ करने तथा जीवाणुमुक्त करने को सुनिश्चित करने के लिए पर्याप्त उपबंध किए जाएंगे।

संग्रह केन्द्रों के कक्षों की फर्श कंक्रीट या अपारगम्य सामग्री से बनायी जाएगी ताकि आसानी से साफ की जा सकें उनका ढाल पर्याप्त झुके हुए होंगे जिससे धुलाई का पानी जल्दी से तेजी के साथ निकल जाए।

कक्षों की दीवारें तथा छतें इस प्रकार की होनी चाहिए कि वे पानी न सोखा सकें ताकि उन्हें कुशलता से साफ किया जा सके। भवन रोगनीदार तथा पर्याप्त रूप से हवादार होंगे।

संचयन केन्द्रों का रखरखाव साफ और किसी भी जल रिसाव से मुक्त होगा जीवनाशक नियंत्रण के लिए उचित पद्धति अपनाई जाएगी।

(ख) दुग्ध संग्रह के उपस्कर :

दुग्ध संग्रह की प्रत्येक पारी के पश्चात दुग्ध संग्रह करने वाले तथा परीक्षण करने वाले सभी उपस्करों को प्रक्षालक तथा पानी से साफ किया जाएगा।

डेयरी द्वारा उपलब्ध कराए गए खाली जीवाणुमुक्त दुग्ध के केनों की उचित रूप से पुनः जांच की जाएगी और यदि आवश्यकता होने पर उन्हें प्रक्षालक और गर्म पानी से साफ किया जाएगा।

(ग) दुग्ध संग्रह

प्रत्येक व्यक्तिगत किसान से दुग्ध संग्रह करने से पूर्व संवेदी जांच के लिए परीक्षण किए जाएंगे। दुग्ध इकट्ठा करते समय छलनी या एक साफ कपड़े से दुग्ध में प्रलंबित कणों को हटाया जाएगा। प्रसंस्करण संयंत्र की लारी/टैंकर के समयानुसार केन्द्र पर दुग्ध संग्रह का समय नियत/निर्धारित किया जाएगा।

जहां तक संभव हो हमारे केन का प्रयोग करने से पूर्व केन को पूरा सरकार, भरकर उस पर ढक्कन लगाया

जाएगा जिससे दुग्ध की निधानी आयु में वृद्धि होगी दुग्ध से बसा के अलग होने और परिवहन के दौरा दुग्ध में संदूषण की जोखिम को भी कम होगा।

(घ) दुग्ध को भेजना और प्रशीतलन करना :

डेयरी संयंत्रों को दुग्ध इस रीति से भेजा जाएगा कि दुग्ध निकालने और प्रसंस्करण संयंत्र आने के बीच का अंतराल स्थानीय मौसम की दशाओं पर निर्भर रहते हुए चार घंटों से अधिक नहीं हो।

दुग्ध संग्रह करने के स्थान तथा प्रसंस्करण संयंत्र के बीच अधिक दूरी है की दशा में प्रसंस्करण संयंत्र को दुग्ध भेजने से पूर्व 10 डिग्री सें. या इससे कम तापमान पर ठंडा किया जाएगा। दुग्ध को ठंडा करने उपस्कर की सफाई सुनिश्चित रूप से की जाएगी। और अधिक मात्रा में ठंडा करने की मशीनों में लोहे की चद्दरों की, धातु के परिरक्षकों का उपबंध किया जाएगा जिससे वायु संदूषण से सुरक्षा प्रदान की जा सके।

(7) दुग्ध फार्म और गांव से संग्रह एवं प्रशीतलन केन्द्रों और प्रसंस्करण संयंत्रों तक परिवहन

फार्म तथा गांवों से संग्रह केन्द्रों तक दुग्ध केनों में ले जाते समय पर्याप्त सावधानी रखी जाएगी कि मार्ग में दुग्ध की न्वालिटी में न्यूनतम हास हो। केन पर पूरी तरह से बंद होने वाले ढक्कन होंगे। भरे हुए केनों को धूप से पर्याप्त रूप से सुरक्षा प्रदान की जाएगी। केन के भीतरी भाग से वर्षों का सम्पर्क में नहीं आने दिए जाएंगे। केन के ढक्कन तथा उसके मुह के बीच लपेटने के लिए जूट (पटसन) अखबारी कागज, घास आदि का प्रयोग नहीं किया जाएगा।

पौधों या सबक पर के पानी के छीटे को केनों के सम्पर्क में आने देना अनुज्ञात नहीं किया जाएगा। जिस वाहन पर दुग्ध के केन लाए जा रहे हों उस पर कोई अन्य सामान नहीं लादा जाएगा जब दुग्ध जाने के लिए सड़क या रेल टैंकरों का उपयोग किया जाता है तो जहां तक संभव हो डिजाइन किए जाएंगे कि दुग्ध: परिवहन के समय इसके आलोडन को रोका जा सके।

दुग्ध परिवहन के लिए टैंकर पद्धति का प्रयोग करते समय दुग्ध के परिरक्षण के लिए सभी आरोग्य संबंधी व्यवहारों को ध्यान में रखा जाएगा टैंकर के प्रकाश छिद्र की कोर ऊपर की ओर होगी जिससे ढक्कन उठाने पर टैंक में टपकने से रोका जा सके। ढकने के ऊपर एक विशेष प्रकार का आवरण होगा जिससे सड़क से आने वाली धूल या गंदगी से ढकने की सुरक्षा प्रदान की जा सके। इसी प्रकार किसी बाल्व भा होनपाइप के ऊपर आवरण उपलब्ध कराए जाने के उपबंध किए जाएंगे।

टैकर इस प्रकार निर्मित होंगे कि उन्हें सुगमतापूर्वक साफ किया जा सके और टैकरों का डिजाइन सर्वोत्तम तकनीकी तथा आरोग्य संबंधी मानकों के अनुसार होगा। प्रक्षालन के पश्चात् समाप्ति पर टैकरों की सफाई तथा स्वच्छता की जाएगी।

रोधन सामग्री इस क्वालिटी की होगी कि दुग्ध के परिवहन की अवधि में दुग्ध का तापमान 2 डिग्री सेंटी ग्रेड से अधिक नहीं बढ़े।

टैक में तेज बढ़ना अनुज्ञेय नहीं किया जाएगा जीवाणुओं के झण्डों को टूटने से बचाने के लिए या बसा ग्लोब्यूल के परिवर्तन या वायु के संमिश्रण के लिए टैक में तीव्र आलोडन और हिलोरे कम से कम हों।

#### 4. कच्चे दुग्ध का मानक

अगले प्रसंस्करण के लिए संग्रहित कच्चा दुग्ध निम्नलिखित मानकों के अनुरूप होगा :

(क) भारी धातुएं कच्चा दुग्ध सबद्वाराष्ट्रीय अंतर्राष्ट्रीय मानकों के अनुरूप होगा।

(ख) नाशक जीवमार अवशिष्ट यथोक्त

(ग) बसाविकार (अफलेटासीन) यथोक्त

(घ) प्रतिजैविक औषध अवशिष्ट यथोक्त

(ङ) संदूषण और अपमिश्रण यथोक्त

#### उपाबंध ख

1. उपचार स्थापनों तथा प्रसंस्करण स्थापनों के अनुमोदन के लिए साधारण शर्तें :

प्रसंस्करण संयंत्र निम्नलिखित अपेक्षाओं को पूरा करेंगे :—

(क) स्थल

प्रसंस्करण संयंत्र/दुग्धशाला कूड़े-करकट के ढेर, मवेशियों के बाड़े खुले गंदे पानी की नालियां तथा अन्य इस प्रकार के स्थान जो मक्खियां पैदा करते हैं तथा वातावरण सड़क जहां वाहनो के कारण धूल उड़ती है से दूर खुले साफ तथा स्वस्थ वातावरण स्थापित करने में वरीयता दी जाएगी। यह हानिकारक धुआं, गंध या अत्यधिक धूल से मुक्त होगा। संयंत्र के आस-पास कूड़ा-करकट, कचरा या समान प्रकार का कोई अन्य अपशिष्ट पदार्थ इकट्ठा नहीं होने दिया जाएगा।

(ख) भवन

प्रसंस्करण के प्रयोजनों के लिए दुग्धशाला की भवन संरचना उपयुक्त आकार में, निर्माण और अनुरक्षण को सुकर बनाने के लिए डिजाईन और स्वास्थ्यबद्ध के लिए उपयुक्त होंगे। स्वास्थ्यकर संचालन के लिए

आवश्यक उपस्कर के रखरखाव और भंडारण सामग्री। (कच्चा तथा तैयार माल) के लिए पर्याप्त स्थान मुहैया करवाया जाएगा। निर्माण हेतु प्रयोग में लाई जाने वाली सामग्री में ईट, प्लास्टर, सीमेंट, कंकड़, टाइल या इसी प्रकार की अन्य सामग्री प्रयोग में लाई जाएगी जो कि स्वच्छता सुनिश्चित करे। भवन का निर्माण इस प्रकार का होगा कृतक, मक्खी तथा पक्षी के लिए अभेद्य हो जबकि उचित विभाजन या स्थिति या दूसरे प्रभावी तरीकों से अलग नहीं किया गया हो तब तक भवन का कोई भी हिस्सा घरेलू प्रयोजनों या भोजन संचालन के अन्य तरीकों के लिए प्रयोग न किया जाएगा।

(ग) संवातन और प्रकाश

श्रमिकों की संरक्षा उनके काम के घंटे तथा संचालन की प्रकृति को ध्यान में रखते हुए प्रसंस्करण संयंत्र/दुग्धशाला को पर्याप्त प्रकाश युक्त तथा संवातित बनाया जाएगा। संवातन तथा प्रकाशन कारखाना अधिनियम, 1948 के अनुसरण में होंगे।

(घ) फर्श, दीवार और ऊपर की छतें

फर्श चिकनी, धोने योग्य, नाली की ओर उचित रूप से ढलान, मल नाली या नाली से जुड़ी हुई होगी। यह पानी के लिए अपारगम्य तथा कमजोर अम्लों, क्षारों या भाप से प्रभावित नहीं होगी। कार्य कक्ष, भंडार कक्ष और गोदाम में कठोर, चिकने और अपारगम्य तथा कमजोर अम्लों, क्षारों या भाप से प्रभावित नहीं होगा। कार्य कक्ष, भंडार कक्ष और गोदाम में कठोर, चिकने और अपारगम्य फर्श जैसे सीमेंट कंकरीट की होगी। आंतरिक दीवारें और छतों की सफाई को सुकर बनाने के लिए इन्हे दरारों तथा तीव्र कोणों से मुक्त हल्के रंग की सतह के साथ अवशोषण रहित चिकना होगा। फर्श सहित दीवारें और दो दीवारों के कोने, गोलाकार होंगे जिससे वहां पर धूल एकत्र न हो सके।

(ङ) मरम्मत

मकान की सभी रूप में उपयुक्त अवस्था में व्यवस्थित और अनुरक्षित रखा जाएगा जब अपेक्षित हो तो इसे चूने से पुताई पेंट करके विसंक्रमित और गंध मुक्त किया जाएगा।

(च) प्रसंस्करण कक्ष

प्रसंस्करण कक्ष के कमरों को मक्खी रहित और कृतक रहित बनाया जाएगा। फर्श में पानी अप्रवेश्य होंगे और निकासी को सुनिश्चित करने के लिए पूर्ण ढलान होगी। प्रसंस्करण कक्षों की नालियों को सीमेंट से बनाया जाएगा और वियोजनीय ढक्कनों से ढका जाएगा नालियों को साफ रखा जाएगा और नाली को म्युनिसिपल निकासी से मिलाने से पूर्व यह ध्यान

रखा जाए, कि निकासी में किसी प्रकार की रुकावट न हो इसलिए समुचित स्थान पर रोक लगाई जाएगी। या इस प्रकार की व्यवस्था न होने पर डेयरी से तथा जल आपूर्ति के स्रोत से भी उचित दूरी पर निकासी अवशोषण गड्ढों का निर्माण किया जाएगा। कमरों की सफाई के लिए पर्याप्त सुविधाएं प्रदान की जाएगी। धावन पाव पर्याप्त संख्या में उपलब्ध कराए जाएंगे सघनन और टपकना रोकने के लिए उचित संवातन का अनुरक्षण किया जाएगा। जहां आवश्यक हो रागजोस्ट पंखे लगाए जाएं।

प्रसंस्करण कक्षों में मक्खियों और कीटों के प्रवेश को रोकने के लिए प्रभावी साधनों की व्यवस्था की जाएगी। जैसे प्रभावी साधन परदे पंखे, हवायुक्त पर्दे आदि होंगे। प्रसंस्करण कक्षों में स्वयं बंद होने वाले दोहरे दरवाजों को लगाया जाएगा। दरवाजों, खिड़कियों को मक्खीरोधी तारों के साथ ढका जाएगा और इन्हें बाहर की तरफ खोला जाएगा।

प्रक्रिया में प्रयोग होने वाले सभी मशीनरी, उपस्कर, फर्नीचर, फर्श आदि को धोने के लिए अधिक मात्रा में पानी की व्यवस्था की जाएगी ताकि प्रभावी निकासी हो सके, 15 से 30 सें.मी. का अर्ध वृत्ताकार नाली के साथ चिकनी पाइप सतह पर दिए जाएंगे। फर्श नाली की ओर होगा और फर्श का अंतिम सिरा नाली से 5 मीटर से अधिक नहीं होगा नाली के मुंह पर रक्षावरण रोक का उपबंध किया जाएगा ताकि नाली को अवरुद्ध से रोकने के लिए ठोस पदार्थों को रोका जा सके। नाली के मुख्य बाहरी सिरे को कारखाने के बाहर कृत्तक मुक्त के लिए रक्षावरण का प्रबंध किया जाएगा। रक्षावरणों की सार्वधिक परीक्षा की जाएगी और यदि आवश्यकता होगी तो उन्हें बदला या साफ किया जाएगा। नाली के पानी को न्यूनतम 5 सेंटीमीटर तक दृढ़ीकृत किया जाएगा। नाली की कुल लम्बाई का कम से कम 50 प्रतिशत ट्राली के आवागमन को सुकर बनाने के लिए ढका होगा, नाली के लिए जालीदार आवरण नाली के बंद क्षेत्र में और कृत्तक के बास को रोकने के लिए अच्छे होंगे।

प्रसंस्करण संयंत्र में—

— उचित मात्रा में बदलते हुए कमरे चिकने एवं जलसह हों, दीवारें और फर्श धोने योग्य, वासवेसिन और कलस शौचालय पूर्णतः स्वच्छ होंगे। उपरोक्त कार्य कक्ष की ओर सीधे न खोले जाएंगे। वासवेसिन हाथ धोने और हाथ मुखाने के लिए स्वास्थ्यकर साधन से सुसज्जित होंगे वासवेसिन नल हस्त द्वारा संचालित न किए जाने वाले होंगे,

— प्रक्षालकों, संक्रामक रोधी और समान पदार्थों के भंडारण के लिए कक्ष या अलमारियां सुरक्षित स्थान पर होंगे।

— भंडारण, सफाई और अनुरक्षण सामग्री के लिए कक्ष या अलमारी होंगी।

— दुग्ध और तरल या पाउडर दुग्ध एवं दुग्ध से संबंधित उत्पाद के परिवहन के लिए रोगाणुओं से मुक्त टैंकों को उचित सुविधाओं से परिपूर्ण एवं स्वच्छ हो। यद्यपि इस प्रकार की सुविधाएं अनिवार्य नहीं हैं यदि समक्ष प्राधिकारी द्वारा शासकीय तौर पर अनुमोदित संस्थापनों में परिवहन के साधनों को स्वच्छ और रोगाणुओं से मुक्त किए जाने का अनुमोदन कर दिया है।

2. उपचार स्थापनों और प्रक्रिया संस्करण स्थापनों में स्वच्छता की साधारण शर्तें

(क) साधारण दुग्धशाला स्वच्छता :

खराब और अस्वीकार्य दुग्ध को आधानों में इकट्ठा कर ढक दिया जाएगा। इसे इकाई के फर्श पर फैलाया नहीं जाएगा। इसे उचित तरीके से निव्यन किया जाएगा जो निवर्तन के आसपास के वातावरण की स्वच्छता को हानिकर न होने दें।

उपस्कर और प्रसंस्करण तथा भंडारण कक्षों में फफूंदी लगने से रोकने के लिए पर्याप्त उपाय किए जाएंगे। तिलचट्टों और घरेलू नाशक कीटों से बचने के लिए पर्याप्त कदम उठाए जाएंगे।

जब भी नाशक जीवमार का उपयोग करते समय इस बात पर विशेष ध्यान दिया जाएगा कि यह उपस्कर, कच्ची सामग्री और पैकिंग सामग्री संदूषित न हो जाए तथा दवा का प्रयोग प्रसंस्करण के दौरान किसी भी हालत में नहीं किया जाएगा।

फर्श और नाली को पूर्णतः साफ रखा जाएगा। प्रसंस्करण कक्ष का उपयोग किसी भी कीमत पर कच्ची सामग्री के भंडारण के लिए नहीं किया जाएगा या परिवर्तन या उसे खाना खाने के कमरे के रूप में उपयोग नहीं किया जाएगा। केवल उन्हीं वस्तुओं को जो किसी विशिष्ट दिन पर प्रसंस्करण के लिए अपेक्षित हों, प्रसंस्करण कक्ष में रखे जा सकेंगे।

किसी ऐसे कक्ष में जहां दुग्ध भंडारण या प्रसंस्कृत किया जाता है उसमें शौचालय, शिक, मल कुंड और कुड़ा-करकट नहीं होना चाहिए तथा बाह्य दुग्ध और वाष्प से मुक्त रखा जाए। झाड़ुओं, बूझों, बाल्टियों और अन्य सफाई उपकरणों के भंडारण के लिए उचित स्थान प्रदान किया जाएगा।

स्थानीय कानूनी मानकों के अनुरूप सम्यक् रूप से बहिस्त्याव शोधित कर ऐसी रीति से व्ययन किया जाएगा जो डेयरी तथा उसके आसपास के वातावरण की स्वच्छता के लिए अहितकर न हो। बहिस्त्याव को डेयरी परिसर के बाहर सड़क पर या खुली जगह में नहीं फेंका जाएगा।

खिड़कियों के शीशे और बिजली की फिटिंग को हर समय धूल रहित और स्वच्छ रखा जाएगा।

डेयरी के किसी भाग में तन्तु जाल नहीं होगा तथा डेयरी के किसी भी भाग में पक्षियों और पालतू जानवरों का प्रवेश अनुज्ञेय नहीं होगा।

सभी पम्प और अपशिष्ट दूषित लाइन लम्बी बनाई जाए ताकि वह अधिकतम मात्रा में निकासी कर सके। सभी लाइन रिसाव मुक्त और अपशिष्ट का निकास इस रीति से किया जाएगा ताकि यह पीने योग्य पानी को संदूषित न कर सके।

परिसर पूर्ण प्रकाश युक्त तथा संवातित होने चाहिए। अधिक ताप, भाप, घृणाजनक धुँआं या वाष्प उत्पन्न करने वाले उपस्कर पर विशेष ध्यान दिया जाएगा। अच्छे संवातन का प्रबंध किया जाना चाहिए और शिरोपरि संरचना में फफूंदी को नहीं लगने से रोका जाएगा। उपर्युक्त निलंबित प्रकाश के वल्ब तथा फिक्सचर सुरक्षित किस्म के होंगे।

(ख) संयंत्र और उपस्कर स्वच्छता :

उपस्कर के लिए सामग्री—संपूर्ण सतह जिसका सम्पर्क दुग्ध के साथ हो वह चिकनी होगी और गड्ढों, दरारों तथा अवक्षेपण और अवशोषण से मुक्त होगी, इसके अतिरिक्त सतह गैर-विषैली और दुग्ध और सफाई करने वाले योगिकों से अप्रभावित होगी। जंगरोधी परिसज्जा स्टेनलैस स्टील आदि सतह चिकनी होगी।

सभी ग्रास्केट खाद्य श्रेणी क्वालिटी और गैर छिद्रण, गैर-अवशोषक की होगी और इस प्रकार से लगाई जाएगी दुग्ध का बाहर निकलना रोके या ग्रास्केट के जोड़ों के बीच उचित सफाई में व्यवधान उत्पन्न न करें।

(ग) उपस्कर का संस्थापन :

सभी उपस्कर टिकाऊ आधारों पर, सहजतापूर्वक साफ होने योग्य सामग्री पर संस्थापित होंगे। उपस्कर को छत और दीवारों से कम से कम 45 सें.मी. की दूरी पर रखा जाएगा या उपस्कर को जलरोधी सीलबंद किया जाएगा। उपस्कर के सभी भागों की संस्थापन के लिए फर्श के ऊपर उचित स्थान और रख रखाव के लिए न्यूनतम अवलम्बों की व्यवस्था की जाएगी ताकि निरीक्षण और स्वच्छता में मदद मिल सके या फर्श से पूर्ण रूप से सीलबंद जलरोधी संस्थापित किया जाएगा। जब भी उपस्कर दीवारों एवं फर्श से होकर जाना है तो उससे सीलबंद किया जाएगा या पर्याप्त निकास रखा जाएगा ताकि निरीक्षण सफाई और अनुरक्षण किया जा सकेगा।

जब भी आवश्यक हो, नालियों और तुलापत्र की व्यवस्था की जाएगी। इसकी मापें इस प्रकार की होंगी ताकि यह रिस, छलक या बिखर न सके, यह सफाई के लिए पूर्ण अलग किए जाने योग्य होंगे। प्रसंस्करण स्थान और छत की सतह पर जब भी पाइप जा रहे हों उनकी परिधि फर्श से कम से कम 5 सें.मी. से अधिक होगी।

सभी प्रकार की विद्युत कनेक्शनों जैसे, स्विच-बाक्स, नियंत्रण बाक्स, कंडक्ट और तारे कम से कम 45 सें. मी. उपस्कर की दीवारों से दूरी पर संस्थापित किया जाएगा ताकि सफाई को सुकर बनाया जा सके या उपस्कर अथवा दीवार को पूर्णतः सीलबंद किया जाएगा।

दुग्ध उत्पाद में प्रयोग आने वाले सभी उपस्करों को स्वच्छ रखा जाएगा। मशीनरी और उपस्कर को स्वच्छतापूर्ण रखा जाएगा और उपस्करों आदि की उचित सफाई के लिए आवश्यक भाप, पानी, होज, ब्रुश प्रक्षालकों और अन्य उपस्करों की पर्याप्त मात्रा में प्रदाय और उपलब्ध कराए जाएंगे। सभी उपकरणों को साफ और स्वास्थ्यप्रद बनाया जाए। दुग्ध उत्पाद सफाई में आने वाले सभी उपस्करों और सभी उपकरणों के भागों को भाप से रोगाणुरहित किया जाएगा या किसी अन्य उपयुक्त विसंक्रामित करने वाले कारक से प्रत्येक प्रसंस्करण के पश्चात् रोगाणुरहित बनाया जाएगा। संपूर्ण प्रसंस्करण प्रणाली के परिचालन के बंद होने के बाद सफाई की जाएगी और उपयोग में लाने से पूर्व इसे पीने योग्य पानी से साफ किया जाएगा। संदूषणात्मक भंडार और मशीनरी के फालतू पुर्जों को प्रसंस्करण क्षेत्रों से अलग रखा जाएगा।

दुग्ध के परिवहन या भंडारण के लिए प्रयोग किए जाने वाली बोतलों, बाल्टियों, कैनो और अन्य आधानों को स्वच्छ रखा जाएगा और उन का किसी अन्य प्रयोजन के लिए उपयोग नहीं किया जाएगा।

यह सुनिश्चित किया जाएगा कि दुग्ध के लिए आधानों को साफ रखा गया है। आधानों को आधानों के ढेर लगाकर नहीं रखा अनुज्ञात नहीं किया जाएगा।

(घ) पानी आपूर्ति :

सुरक्षित और पीने योग्य पानी की पर्याप्त मात्रा में आपूर्ति की जाएगी। सभी कमरों और जगहों में जहां दुग्ध का हथालन होता है और जहां उपस्कर धोने के लिए बहने वाले पानी का दबाव ठीक रखा जाएगा। उपस्कर इस प्रकार से संस्थापित या उपयोग किए जाएंगे कि तरल का निवारण पीने योग्य पानी की लाइन में न मिल सके।

जहां आवश्यकता समझी जाए संयंत्र को स्वच्छ करने के लिए गर्म और ठंडे पानी का प्रदाय पर्याप्त मात्रा में उपलब्ध कराया जाएगा। पानी के भंडारण टैंकों को पूर्णतः मुहरबंद होंगे, टाइट फिटिंग वाले ढक्कनों से आच्छादित होंगे। प्रत्येक छह मास में टैंकों का नियमित रूप से परीक्षण कर स्वच्छ किया जाए। सफाई की आखिरी तारीख और अगली तारीख भंडारण टैंकों पर प्रमुखता से प्रदर्शित की जाएगी। पानी की अनुज्ञापन प्राधिकारी की अपेक्षानुसार कालिकतः रसायन और बैक्टीरियोलॉजिकली परीक्षित करवाया जाए। ऐसे परीक्षण का अभिलेख रखा जाएगा।

कर्मचारी स्वास्थ्य :

प्रत्येक कर्मचारी जो कि दुग्ध के उत्पाद, हथालन प्रसंस्करण, वितरण से संबंधित हो वह प्राधिकृत रजिस्ट्रीकृत चिकित्सक से अपने स्वास्थ्य का परीक्षण करवाएगा और यह परीक्षण ट्यूबरकुलोसिस के लिए छाती का एक्सरे सहित होगा। परीक्षण मल-मूत्र सहित किया जाए ताकि प्रजीव व कृमि की रोकथाम जांच कराई जाए, अंतरीय बीमारियों के लिए पेशाब और खून की जांच की जाएगी। तत्पश्चात् कर्मचारियों की एक/या अधिक

की आवृत्तियों में वर्ष के दौरान चिकित्सीय परीक्षण किया जाएगा। यदि आवश्यकतानुसार यह विश्वास दिलाए कि कर्मचारी स्वास्थ्य की दृष्टि से स्वस्थ है और फैलाने वाली बीमारियों से मुक्त है। ऐसे परीक्षण के अभिलेखों का अनुरक्षण किया जाएगा।

प्रबंधन या चिकित्सा अधिकारी द्वारा प्रभावित सभी कर्मचारियों के ऊपर यह चिन्तित किया जाएगा कि उन्हें बुखार, उल्टी, डायरिया, टाइफाइड, पेचिस, वायरस, घाव फोड़ा और अलसर (यद्यपि छोटा), कान बहना और उनको अधिसूचित परिवारजनों और घरों में होने वाली बीमारियों को अधिसूचित किया जाएगा।

किसी भी कर्मकार को जिस पर ऊपर सूचीबद्ध रोग से ग्रसित होने का संदेह हो, डेयरी के अन्दर कार्य करने के लिए अनुज्ञा नहीं दी जाएगी। पर्यवेक्षण कार्य के प्रारंभ के पूर्व और जब भी वे किसी अनुपस्थित के पश्चात् प्रसंस्करण कक्ष में प्रवेश करते हैं, व्यक्तिगत स्वास्थ्य की जांच करेगा।

कर्मचारी अपने नाखून छोटे और साफ रखेगा। कार्य प्रारंभ होने से पूर्व और प्रत्येक अनुपस्थित के विशेषतः प्रसाधन सुविधाएं उपभोग करने के पश्चात् अपने हाथ साबुन या प्रक्षालक से धोएंगे। हाथों को सुखाने के लिए प्रयोग किए जाने वाले तौलिए साफ होंगे किसी भी कर्मचारी को अपने हाथ या शरीर के किसी भी भाग या कपड़ों को दुग्ध के संपर्क में आने की अवज्ञा नहीं दी जाएगी। यह पूर्णतः स्वास्थ्यकर व्यवहारों का पालन करेगा जिससे दुग्ध को किसी भी प्रकार के सूक्ष्म-जैविक संदूषण से बचाया जा सके।

सभी कर्मचारियों को वर्ष में एक बार आन्तरिक समूह की बीमारियों का टीकाकरण किया जाएगा और दो वर्ष में एक बार चेचक का टीका दिया जाएगा। महामारी के मामले में सभी कर्मचारियों को टीका लगाया जायगा इस प्रकार के विवरण के अभिलेख रखे जाएंगे। किसी भी कर्मकार को उचित वस्त्रों और जूते पहने कार्य करने के लिए अनुज्ञा नहीं किया जाएगा।

कर्मचारियों को साफ वर्दी अधिमानतः सफेद प्रदान की जाएगी या एप्रन या दोनों और साफ और धोने योग्य टोपियां जहां आवश्यक हो उपलब्ध कराई जाएंगी। कर्मचारियों को कपड़े बदलने के लिए अलग कक्ष व स्थान प्रदान किया जाएगा। वर्दियों को भी प्रसंस्करण कक्ष में न टांगा जाएगा। वर्दियों को दुग्ध-शाला परिसर के बाहर न पहना जाएगा बल्कि कार्य प्रारंभ करने से पूर्व पहना जाए तथा जब समाप्त हो तब उतार दी जाएगी।

दुग्धशाला के प्रसंस्करण पैकिंग और भंडारण क्षेत्र के अन्दर खाना, थकना, नाक साफ करना एवं किसी भी रूप के तम्बाकू का प्रयोग जिसमें धूमपान या पान खाना सम्मिलित है निषेध किया जायेगा। इस प्रभाव की सूचना प्रमुख रूप से संप्रदर्शित की जाएगी और उसका पालन कराया जाएगा।

स्वच्छता संबंधी सुविधाएं पर्याप्त और उचित मात्रा में प्रदान की जाएंगी, अनुरक्षण किया जायेगा और स्वच्छतापूर्ण रखी जायेगी। सुविधाएं उचित प्रकाशमयी होंगी। प्रत्येक लिंग के लिए अलग-अलग सुविधाएं प्रदान की जाएंगी। कोई भी सुविधा सीधी दुग्धशाला के किसी कार्य कक्ष में नहीं खुलेगी सदैव साफ और अच्छी दशा में अनुरक्षित की जायेगी।

वासबेसिनों की उचित मात्रा में व्यवस्था की जायेगी, धावन कुंडों की पर्याप्त संख्याओं के साथ नाखून, ब्रूशों, साबुन और तौलियों, शौचालयों और मूत्रालयों के पर्याप्त उपबंध किए जाएंगे। कर्मकारों की सुविधाओं के अनुसार जब वे डेयरी के अंदर हों, हर समय उनकी पहुंच होगी, धावन कुंड अंदर या स्वास्थ्य सुविधाओं के साथ लगाए जाएंगे।

स्वास्थ्य संबंधी और सुरुचि पूर्ण क महत्व को कर्मिकों के मस्तिष्क में इस प्रकार बैठा दिया जाएगा कि किसी भी अवस्था में किसी भी प्रकार की असावधानी उपभोक्ताओं के लिए हानिकर सिद्ध होगी।

### 3. संग्रह केन्द्रों के रजिस्ट्रीकरण के लिए विशेष अपेक्षाएं

अधिकथित असाधारण अपेक्षाओं के अतिरिक्त संग्रह केन्द्र से उपरोक्त मद 1 में सामान्य आवश्यकताओं का विवरण दिया गया है, कम से कम निम्नलिखित अपेक्षाएं की जाएंगी:—

(1) यदि संग्रह केन्द्र में दुग्ध का भंडारण किया जाएगा तो शीतलन सुविधाएं प्रदान की जाएंगी।

(2) वसा और एसएनएफ तत्व जांच करने के लिए परीक्षण सुविधाएं यह दुग्ध जांच उपस्कर सहित होंगी।

(3) दुग्ध संग्रह जो उपयुक्त रूप से स्वच्छता पूर्ण होंगी।

### 4. उपचार स्थापनों और प्रसंस्करण स्थापनों के अनुमोदन के लिए विशेष अपेक्षाएं

ऊपर 1 में अधिकथित साधारण अपेक्षाओं के अतिरिक्त उपचार स्थापन और प्रसंस्करण स्थापन कम से कम निम्नलिखित अपेक्षाओं को अवश्य पूरा करेंगे:—

(1) उष्मापचारित दुग्ध, द्रव्य दुग्ध आधारित उत्पादों के शीतलन और शीत संग्रहण के लिए उपस्कर शीत भंडारण सही अंशशोधन ताप मापन उपकरणों से सुसज्जित होंगे,

(2) प्रयोज्य आधानों में वेष्टन की दशा में ऐसे डिब्बों के भंडारण के लिए और उनके विनिर्माण के लिए आशयित कच्ची सामग्री के भंडारण के लिए क्षेत्र—

— पुनः उपयोग के आधानों में वेष्टन की दशा में, उनके भंडारण के लिए विशेष क्षेत्र और साफ तथा यांत्रिक रूप से विसंक्रमित करने के लिए उपस्कर डिजाइन,

(3) कच्चे दुग्ध भंडारण के लिए आधान, मानकीकरण, उपकरण और मानकीकृत दुग्ध के भंडारण के लिए आधान,

(4) यदि समीचीन हो तो दुग्ध से असंगत पदार्थों को हटाने के लिए अपकेन्द्रण यंत्र या कोई अन्य उपयुक्त साधन,

(5) उष्मा—उपचार उपकरण जिसमें निम्नलिखित लगे होंगे :—

— एक स्वचालित तापीय नियंत्रक,

— एक अभिलेखी थर्मामीटर,

— एक स्वचालित सुरक्षा युक्ति जो कि अपर्याप्त तापन या शीतन माध्यम को रोके,

— एक उचित सुरक्षा पद्धति जो पास्तेरीकरण और विसंक्रामित दुग्ध के साथ अपूर्ण तापित दुग्ध के सम्मिश्रण को रोके, और

— सुरक्षा पद्धति के लिए रिकॉर्डिंग विनिर्दिष्ट रूप से घटित होने के लिए दोहरे दस्तावेज तैयार करने के लिए युक्ति,

(6) हिमशीतित दुग्ध उत्पादों के शीतलन, वेष्टन और भंडारण के लिए उपस्कर यदि वहां ऐसी संक्रियाओं का संचालन किया जा रहा हो,

(7) पाउडर दुग्ध उत्पाद को सुखाने और वेष्टन के लिए उपस्कर यदि वहां पर ऐसी संक्रिया का संचालन किया जा रहा हो।

5. उपचार स्थापनों और प्रसंस्करण स्थापनों, परिसर उपस्कर और कर्मचारीवृन्द से संबंधित स्वास्थ्य अपेक्षाएं

ऊपर अधिकथित साधारण अपेक्षाओं के अतिरिक्त स्थापन निम्नलिखित शर्तों का पालन करेंगे—

(1) उपस्कर, संवातनया कर्मचारी वृन्द द्वारा संक्रियाओं के बीच होने वाले प्रतिसंदूषण से सुनिश्चित रूप से बचाव किया जाएगा। यदि उपयुक्त हो, और जोखिम का आकलन की दृष्टि से, उत्पादन प्रसंस्करण के लिए आशयित कमरे को ऐसे गीले और सूखे क्षेत्र में विभक्त किया जाएगा जिसमें से प्रत्येक की उसकी अपनी संचालन दशाएं होंगी।

(2) जहां तक संभव हो प्रत्येक यात्रा के पश्चात् या यात्राओं की प्रत्येक शृंखलाओं के पश्चात् जहां खाली करने और लदाई के बीच बहुत कम समय लगता हो किन्तु किसी भी समय प्रत्येक कार्य दिवस के कम से कम एक बार दुग्ध संग्रह या मातकीकरण केन्द्र या दुग्ध उपचार या प्रसंस्करण स्थापनों को कच्चे दुग्ध के परिवहन के लिए प्रयुक्त आधानों और टैंकों को पुनः उपयोग में लेने से पूर्व सुनिश्चित रूप से स्वच्छ और विसंक्रामित किया जाएगा।

(3) ऐसे उपस्कर, आधान और संस्थापनों को जो दुग्ध या दुग्ध आधारित—उत्पादों अथवा उत्पादन के

दौरान बिगड़ने वाली अन्य कच्ची सामग्री के संपर्क में आते हैं उनको प्रत्येक कार्य दशाओं और प्रत्येक कार्य दिवस में पुनः उपयोग से पूर्व कम से कम एक बार स्वच्छ किया जाएगा या विसंक्रामित किया जाएगा।

(4) उपचार परिसरों, यदि आवश्यक हो, तो प्रत्येक कार्य दिवस पर कम से कम एक बार अवश्य साफ किए जाएंगे।

(5) ऐसे अन्य उपस्कर, डिब्बों और स्थापनों जो सूक्ष्म जैविक रूप से स्थिर दुग्ध आधारित—उत्पादों के सम्पर्क में आते हैं और ऐसे कमरों सहित जिनमें ऐसे पदार्थ रखे जाते हैं की सफाई करने के लिए स्थापन का संचालक या प्रबंधक जोखिम निर्धारण के आधार पर स्वच्छता कार्यक्रम तैयार करेगा। कार्यक्रम मद 1 में निर्दिष्ट अपेक्षा को सुनिश्चित रूप से पूरा करेगा तथा यह भी सुनिश्चित करेगा कि अपर्याप्त स्वच्छता पद्धतियों के परिणाम-स्वरूप उत्पादों को उपभोक्ता के स्वास्थ्य के जोखिम और असुरक्षित उत्पाद नहीं है।

#### उपाबंध-ग

1. दुग्ध उत्पादों के विनिर्माण के लिए दुग्ध के लिए अपेक्षाएं (i) प्रसंस्करण स्थापन के संचालक या प्रबंधक को यह सुनिश्चित करने के लिए सभी आवश्यक उपाय किए गए हैं कि यदि दुग्ध 6 डि.सें. से अधिक के तापमान पर रखा जाता है तो (प्रतिग्रहण के 36 घंटों के भीतर) या यदि दुग्ध 4 डि.सें. या उससे कम के तापमान पर रखा जाता है तो प्रतिग्रहण के 48 घंटों के भीतर कच्चा दुग्ध उपचारित हो जाता है।

(ii) दुग्ध उत्पादों के विनिर्माण के लिए आशयित उष्मा उपचारित दुग्ध ऐसे कच्चे दुग्ध से अभिप्राप्त किया जाएगा जो उपाबंध-क में अधिकथित मानकों का पालन करता है।

(iii) उष्मा उपचारित दुग्ध निम्नलिखित अपेक्षाओं को पूरा करेगा—

(क) पास्तेरिकरण दुग्ध उपाबंध के खंड 2 का अनुपालन करेगा।

(ख) यूएचटी दुग्ध परिभाषा के मद के अधीन या उपचार द्वारा अभिप्राप्त किया जाएगा और उसमें दी गयी अपेक्षाओं का पालन करेगा।

2. दुग्ध प्रसंस्करण प्रसंस्करण से पूर्व कच्चे दुग्ध को छाना जाएगा या उसमें से दृश्य मूल या किसी बाह्य पदार्थ को हटाकर निर्मल किया जाएगा। दुग्ध को उपयुक्त दाब पर पास्तेरीकरण से पूर्व संमागीकरण किया जा सकेगा।

दिन भर की गतिविधि के समापन के पश्चात् संभागक के भाग को विसर्जित कर दिया जाएगा। और प्रक्षालक घोल से अच्छी तरह धोने के पश्चात् गर्म पानी से साफ किया जाएगा। दुग्ध के नए बैच का उपयोग करने से पूर्व संभागक को गर्म पानी या क्लोरीन के घोल से इसे पंपिंग के द्वारा कीटाणुनाशित किया जाएगा। संभागक के पिस्टन पैकिंग और लैटर गैसकिट को जब गर्म हो जाए तो यथासंभव बारंबारता से बदल दिया जाएगा।

(क) पास्तेरीकरण: दुग्ध को 30 मिनट तक कम से कम 66 डि.सें. के तापमान पर 66 डि.सें. लगातार रखा जाएगा या इसके कम से कम 74 डि.सें. पर लगातार ताप के लिए कम से कम 15 सैकेण्ड तक किसी मानक और उपयुक्त रूप से संचालित उपस्कर में उष्मित किया जाएगा। अन्य तापमान और समय संयोजन जो पास्तेरीकृत दुग्ध को आरोग्य संबंधी अपेक्षाओं को पूरा करने के लिए समर्थ बनाते हों, को भी सक्षम प्राधिकारी द्वारा अनुमोदन के पश्चात् अंगीकृत किया जा सकेगा। यह सुनिश्चित करने के लिए कि फैन में उपस्थित जीवाणु मर जाते हैं, आकाशीय तापकों की व्यवस्था की जाएगी। सुस्पष्ट स्थिति अभिलिखित की स्पष्ट स्थिति और यथार्थता के लिए थर्मामीटरों की नियमित रूप से जांच की जाएगी। लंबा स्तम्भ प्रदर्शन थर्मामीटर + 0.5 डि.सें. के भीतर यथार्थता होगी। अभिलेखन थर्मामीटर होल्डर पास्च्यूरीकरण के लिए 63 और 64 डि.सें. के बीच में 1 डि.सें. के भीतर और थोड़े समय उच्च तापमान (एच टी एस टी) पास्तेरीकरण के लिए 71 और 72 डि.सें. के बीच में 1 डि.सें. के भीतर यथार्थ होगा।

दुग्ध को रखने के पश्चात् इसे 5 डि.सें. से अधिक के तापमान पर मानक और उचित रूप से संचालित उपस्कर में तुरन्त ठंडा कर लेना चाहिए। पास्तेरीकरण दुग्ध को जब तक कि वह वितरण के लिए दुग्ध संयंत्र को नहीं छोड़ता तब तक 7 डि.सें. से अधिक के तापमान पर रखना चाहिए।

पास्तेरीकरण संयंत्र के सभी भागों को प्रक्षालक स्वास्थ्यकर दशा में रखा जाएगा। अच्छी किस्म के रोगाणुहीन प्रक्षालक जो कि दुग्ध की शुद्धता को दूषित ना करें और दुग्ध को शुद्ध करने वाले पास्तेरीकरण संयंत्रों को भी दूषित ना करें का प्रयोग किया जाएगा पास्तेरीकरण के रबड़ गार्सकेट पर सफाई संक्रिया में विशेष ध्यान रखा जाएगा जिससे दुग्ध के अपशिष्टों को जमा किया जाएगा सभी पास्तेरीकरण के पश्चात् कच्चे दुग्ध के संदूषण को बचाने के लिए सभी आवश्यक सावधानियों पूर्वक उपयुक्त पूर्ण डिजाइन या रिसाव उपस्कर पम्प, दूषित बोतल और बोतल उपस्कर संदूषित जल, गंदी धूल, और दुग्धशाला संयंत्र कार्मिकों की गंदी आदतों के लिए आवश्यक सावधानियां रखी जाएंगी।

पैकेज प्रभावी सफाई संक्रियों में अनुज्ञेय आकार में होंगे। पैकेज जहां दुग्ध एकत्र हो या परते एकत्र होने या साफ करना परेशानी हो के लिए सुगम नहीं होंगे।

पास्तेरीकृत दुग्ध मानक क्वालिटी के उचित पैकेज में भरा जाएगा जो डिब्बे वापिस आएंगे वे ढंग से साफ होने और उन्हें साफ करते समय उन्हें अच्छे प्रकार के प्रक्षालकों का प्रयोग किया जाएगा।

(ख) प्रयोगशाला नियंत्रण: दुग्ध संक्रियाओं की कुशल जांच में दुग्धशाला नियंत्रण प्रयोगशाला का अतिआवश्यक योगदान है। दुग्ध प्रसंस्करण संयंत्र के प्रभावी संक्रिया के लिए उपस्करों से सज्जित प्रयोगशाला कर्मचारिवृद्ध आवश्यक है। उनको अच्छी तरह से दुग्ध को साफ करने वाले प्रसंस्करण संयंत्र की प्रत्येक डेरी दुग्ध को अच्छा बनाने की कोशिश करनी होगी।

(ग) दुग्ध उत्पाद: प्रसंस्करण संयंत्र में विनिर्मित सभी दुग्ध उत्पाद ऊपर वर्णित स्वास्थ्य संबंधी अपेक्षाओं के अनुरूप होंगे। प्रभावी जहां कहीं भी दुग्ध उत्पादों राष्ट्रीय/अंतर्राष्ट्रीय मानकों की भी पूर्ति करेंगे।

3. दुग्ध उत्पाद के लिए सूक्ष्मजीव संबंधी मानदंड: (अ) प्रसंस्करण स्थापन से स्थानांतर पर कतिपय दुग्ध आधारित उत्पादों के लिए सूक्ष्मजीव संबंधी लक्षण।

(i) अनिवार्य लक्षण: रोग मूलक सूक्ष्मजीव

| सूक्ष्म जीव के प्रकार उत्पाद |  | मानक (मि.ली./ग्रा.)                     |
|------------------------------|--|---|
| लिस्टेरिया                   | मक्खन अन्य ठोस                                   | 25 ग्राम में लुप्त                      |
| मोनोसाइटोगेनिज               | मक्खन के अलावा अन्य उत्पाद दुग्ध पाउडर को छोड़कर | 1 ग्राम में लुप्त<br>25 ग्राम में लुप्त |
| सालमोनेल्ला                  | सभी दुग्ध उत्पाद                                 |   |
|                              | दुग्ध पाउडर                                      | 25 ग्राम में लुप्त                      |
| शिजिला                       | सभी दुग्ध उत्पाद                                 | 25 ग्राम में लुप्त                      |

इसके अतिरिक्त, रोगमूलक सूक्ष्म जीव और उनके विष ऐसी मात्राओं में उपस्थित नहीं होंगे जो उपभोक्ताओं के स्वास्थ्य पर प्रभाव डालें।

यदि इन मानकों का पालन नहीं होता है तो खाद्य पदार्थों को मानव उपभोग से अपवर्जित कर देना चाहिए तथा बाजार से वापस ले लेना चाहिए।

नमूने लेने के कार्यक्रम, उत्पादों की प्रकृति और जोखिम के निर्धारण को ध्यान में रखते हुए तैयार किए जाएंगे।

(ii) विश्लेषणात्मक मापमान : घटिया स्वच्छता को उप-  
दर्शित करने वाले सूक्ष्म जीवाणु

| सूक्ष्म जीवाणु की<br>किस्म | उत्पाद  | मानक<br>(मि.ली. ग्राम)                     |
|----------------------------|---|--|
| स्टैफिलोकोकस<br>ओरिएस      | मृदु पनीर (उष्मा)<br>उपचारित दुग्ध<br>से बनाए गए)                 | एन = 1000<br>एम = 1000<br>एन = 5<br>सी = 2 |
|                            | पाजा पनीर<br>हिमशीतित दुग्ध<br>( जिसके अंतर्गत आइस-<br>क्रीम है ) | एम = 10<br>एम = 100<br>एन = 5<br>सी = 2    |
|                            | दुग्ध चूर्ण   | 0.1 प्रति ग्राम में<br>विद्यमान नहीं है    |
|                            | अन्य दुग्धशाला<br>उत्पादन   | 100 प्रतिग्राम से<br>कम                    |
| एस्केशिया कोलाई            | मृदु पनीर और अन्य<br>दुग्धशाला उत्पाद                             | = 100<br>= 1000<br>= 5<br>= 2              |
|                            | दुग्ध चूर्ण   | 0.1 ग्राम में<br>विद्यमान नहीं             |

ऐसे सभी मामलों में जहां इन मानकों का पालन नहीं किया जाता है वहां प्रसंस्करण स्थापन में लागू मानीटरिंग और विशेष बातों की जांच करने के लिए पद्धतियों के कार्यान्वयन का पुनर्विलोकन किया जाना चाहिए। सक्षम प्राधिकारी को इन बातों के दोबारा न होने देने के लिए उत्पादन मानीटरिंग प्रणाली में सम्मिलित सुधारात्मक प्रक्रियाओं के बारे में सूचित किया जाएगा।

यदि स्टैफिलोकोकस ओरिएस या एस्केशिया कोलाई के स्ट्रेन जिनकी रोगमूलक रूप में पहचान की गयी है तो उन सभी बैचों को बाजार से वापस ले लिया जाएगा। इस मामले में सक्षम प्राधिकारी को निष्कर्षों और आशंकाओं से युक्त बैचों को वापस लेने की कार्यवाही तथा उत्पादन मानीटरिंग प्रणाली में प्रारम्भ करने की सुधारात्मक प्रक्रियाओं के बारे में सूचित किया जाएगा।

(iii) संकेतक सूक्ष्म जीवाणु : मार्गदर्शक

| सूक्ष्म जीवाणु की<br>किस्म | उत्पाद              | मानक (मि.ली./<br>ग्राम)              |
|----------------------------|---------------------|--------------------------------------|
| कोलीफार्म                  | द्रव्य दुग्ध उत्पाद | एन = 0<br>एम = 5<br>एन = 5<br>सी = 2 |

|  |                             |
|--|-----------------------------|
| पास्तेरीकृत दुग्ध<br>या क्रीम से निमित्त | एन = 0                      |
| मक्खन                                    | एम = 10<br>एन = 5<br>सी = 2 |

|   |                                       |
|---|---------------------------------------|
| हिमशीतित दुग्ध उत्पाद<br>( जिसके अंतर्गत आइस-<br>क्रीम है ) | एन = 0<br>एम = 10<br>एन = 5<br>सी = 2 |
|---|---------------------------------------|

|             |                                     |
|-------------|-------------------------------------|
| दुग्ध चूर्ण | 0.1 ग्राम में विद्य-<br>मान नहीं है |
|-------------|-------------------------------------|

|                       |                          |
|-----------------------|--------------------------|
| अन्य दुग्धशाला उत्पाद | 200 प्रति ग्राम से<br>कम |
|-----------------------|--------------------------|

|             |                   |                            |
|-------------|-------------------|----------------------------|
| प्लेट काउंट | पास्तेरीकृत दुग्ध | 30,000 प्रति<br>लीटर से कम |
|-------------|-------------------|----------------------------|

|          |                              |
|----------|------------------------------|
| आइसक्रीम | 2,50,000 प्रति<br>लीटर से कम |
|----------|------------------------------|

|             |                              |
|-------------|------------------------------|
| दुग्ध चूर्ण | 40,000 प्रति-<br>ग्राम से कम |
|-------------|------------------------------|

ये मार्गदर्शक उत्पादकों को उनके स्थापनों के समुचित-  
प्रचालन और प्रणाली के कार्यान्वयन तथा उनके द्वारा उत्पादन  
में स्वयं की जांच करने के लिए अपनाई जाने वाली प्रक्रिया  
को सुनिश्चित करने में सहायता करेंगे।

जहां,

एन = जीवाणु समाविष्ट करने वाले नमूना यूनिटों की  
संख्यांक

छोटा एम = जीवाणु की संख्यांक के मान : परिणाम संतोष-  
जनक समझा जाता है यदि सभी नमूना यूनिटों  
में जीवाणुओं की संख्यांक "छोटा एम" से अधिक  
नहीं होती है।

बड़ा एम = जीवाणुओं की संख्या के लिए अधिकतम मान:  
परिणाम असंतोषजनक समझा जाता है यदि  
एक या अधिक नमूना यूनिटों में जीवाणुओं की  
संख्या "बड़ा एम" या अधिक है।

सी = नमूना यूनिटों की संख्या जहां पर जीवाणु  
गणनांक "छोटा एम" तथा "बड़ा एम" के मध्य  
होंगे वे स्वीकार्य हो सकेंगे यदि अन्य नमूना  
यूनिटों का जीवाणु गणनांक "छोटे एम" या  
कम है।



4. लपेटना और पैक करना: (i) वेष्टन और पैकेजिंग संतोषजनक स्वास्थ्य संबंधी दशाओं के अधीन उन कक्षों में किया जाएगा जिन्हें इस प्रयोजन के लिए बनाया गया है।

(ii) बोटलों को भरा जाना: आधानों को तरल दुग्ध उत्पादों से भरना और डिब्बों को सील व पैक करना, स्वचालित रूप से होगा।

(iii) लपेटने वाली वस्तु या पैक करने वाली वस्तु को उत्पादों के लिए पुनः प्रयोग में नहीं लाया जाएगा सिवाय कृतिपय टाइप के डिब्बों के जिन्हें पूर्णतः विसंक्रमित व साफ करके पुनः काम में लिया जा सकेगा।

समुद्रांकित भरण के तुरन्त पश्चात् ऐसी समुद्रांकित युक्तियों के साधनों द्वारा जो यह सुनिश्चित करते हैं कि दुग्ध उसके अभिलक्षणों पर बाहरी उद्भव के किसी प्रतिकूल प्रभाव से सुरक्षित है उस उपचार स्थापन में किया जाना चाहिए जिसमें उष्मा उपचार किया गया हो। समुद्रण प्रणाली इस प्रकार अभिकल्पित होगी कि एक बार डिब्बा खोल दिया गया हो तो यह साक्ष्य स्पष्ट रहता है कि यह खोल दिया गया है और जांच करने में आसानी रहती है।

(iv) स्थापन का संचालक और प्रबंधक नियंत्रण प्रयोजनों के लिए यह सुनिश्चित करेगा कि निम्नलिखित जहनकारी दुग्ध उत्पादों के पैकेजिंग पर दृश्य रूप से और स्पष्ट रूप से संप्रदर्शित कर दी गयी है।

पास्तेरीकृत दुग्ध से बने दुग्ध उत्पाद, वह तापमान जिस पर उत्पादों का भंडारण किया जाएगा।

(v) बिन्दु 1 के होते हुए भी, निम्नलिखित शर्तों के अधीन रहते हुए उसी कमरे में उत्पाद विनिर्माण और पैकेजिंग संक्रियाओं का संचालन किया जाएगा:

(क) कमरा पर्याप्त रूप से बड़ा और इस प्रकार सुसज्जित होगा जिससे कि प्रचालन की स्वच्छता सुनिश्चित हो सके।

(ख) वेष्टन और पैकेजिंग सामग्री को किसी ऐसे संरक्षण आवरण में उपचार या प्रसंस्करण स्थापन में लाया जाएगा जिससे विनिर्माण के तुरन्त पश्चात् वे रखे गए थे और जो उन्हें स्थापन के लिए परिवहन के दौरान किसी टूट-फूट से रक्षा करता है और उस प्रयोजन के लिए आशयित किसी कक्ष में स्वास्थ्यकर दशाओं में वहां भंडारित किया जाएगा।

(ग) पैकिंग सामग्री भंडारण के लिये कमरों को धूल, हानिकारक कीड़ों से रहित होगा तथा ऐसे पदार्थों से युक्त कमरों से अलग होगा जो उत्पादों को संदूषित करते हों। पैकिंग सामग्री को सीधे फर्श पर नहीं रखा जायेगा।

(घ) पैकेजिंग पदार्थों को कक्ष में लाये जाने से पूर्व स्वास्थ्यकर दशाओं के अधीन समायोजित

किया जायेगा। स्वतः चालित संयोजन की दशा में इस अपेक्षा से छूट दी जा सकती है बशर्ते कि उत्पादों के संदूषण का जोखिम न हो।

(ङ) पैकेजिंग पदार्थों को स्वास्थ्यकर दशाओं के अधीन कक्ष में लाया जायेगा और बिना देरी के प्रयुक्त की जायेगी बह अनवेष्टित उत्पादों को हथालने वाले कर्मचारीवृन्द द्वारा नहीं हथलाई जायेगी।

(च) उत्पादों को पैकेजिंग के पश्चात् तुरन्त उन भंडारण कक्षों में रख दिया जायेगा जिनकी इस प्रयोजन के लिये व्यवस्था की गयी है।

5. स्वास्थ्य चिन्हांकन और लेबल लगाने को शासित करने वाली शर्तें:

(क) स्वास्थ्य चिन्हांकन को शासित करने वाली शर्तें:

(i) यदि निर्यात करने वाला देश स्वास्थ्य प्रमाण पत्र या लेबल पर स्वास्थ्य चिन्ह की अपेक्षा करता है तो वह प्रदान कर दिया जायेगा। स्वास्थ्य चिन्हांकन किसी सहज दृश्य स्थान पर स्थापन में विनिर्माण के दौरान या तुरन्त बाद किया जायेगा। चिन्ह स्पष्ट, अमिट होगा और उसका स्वरूप सहज विशेषता बताने वाला होगा। यदि उत्पाद अलग-अलग वेष्टित किया जाता है तो स्वस्थ चिन्ह उत्पाद पर या वेष्टन पर या इस वेष्टन पर चिपकाये गये लेबल पर प्रयुक्त किया जा सकेगा। तथापि जहां अलग-अलग वेष्टित और पैकेज बंद किया जाता है, तो स्वास्थ्य चिन्ह का पैकेजिंग पर प्रयुक्त किया जाना ही काफी है।

(ii) बिन्दु 1 के अनुसार चिन्हित उत्पाद बाद में किसी पैकेजिंग पर भी स्वास्थ्य चिन्ह प्रयुक्त किया जायेगा।

(iii) (क) स्वास्थ्य चिन्ह में निम्नलिखित विशिष्टियां होंगी:

—माल भेजने वाले देश का नाम बड़े अक्षरों में

—स्थापन की अनुमोदन संख्यांक

(ख) उत्पाद वेष्टन या पैकेजिंग पर स्वास्थ्य चिन्ह स्बाही की मोहर द्वारा या छाप द्वारा प्रयुक्त किया जा सकेगा या इसे लेबल पर मुद्रित किया जा सकेगा या लगाया जा सकेगा। समुद्रांकित आधानों में उत्पादों की दशा में चिन्ह को अमिट रूप से या तो इन्कन पर या आधानों पर लगाया जायेगा।

(ग) स्वास्थ्य चिन्ह सभी स्वास्थ्य अपेक्षाओं का अनुपालन करने वाली प्रतिरोधी सामग्री की बनी न हटने वाली प्लेट के रूप में भी हो सकता है और जिसके (क) में विनिर्दिष्ट जानकारी होगी।

(ख) लेबल लगाने की शक्ति करने वाली शर्तें :

निरीक्षण प्रयोजन के लिये दुध उत्पादों के लेबल पर निम्नलिखित स्पष्ट रूप से दर्शित होगी :

1. विनिर्माण प्रसंस्करण के अंत में प्रयुक्त किसी ऊष्मा उपकार की प्रकृति।

2. ऐसे दूध उत्पादों के लिये जिनमें सूक्ष्म-जीव उत्पन्न हो सकते हैं वह समय या वह न्यूनतम स्थायी तारीख जब तक उनका उपयोग किया जा सके और वह दशा जिसमें वे भंडारित किये जायें।

6. भंडारण और परिवहन अपेक्षाएं :

(i) वह उत्पाद जिनका परिवेश ताप पर भंडारण नहीं किया जा सकता उनका भंडारण विनिर्माता द्वारा स्थापित ताप पर ही भंडारण किया जायेगा। ताकि उनकी स्थिरता (टिकाऊपन) को सुनिश्चित किया जा सके। विशिष्ट रूप से अधिकतम ताप जिस पर पाश्चुरीकृत दुध की संस्थापन से निकलने तक और परिवहन के दौरान 6 डि. सें. पर ही रखा जायेगा। जब भंडारण शीतित दशाओं में करना हो तो भंडारण ताप को नोट किया जायेगा और शीतलन गति (अवधि) ऐसी हो जिससे उत्पाद के द्वारा अपेक्षित ताप जल्द से जल्द प्राप्त कर लिया जायेगा।

(ii) टैक, केन अन्य आधानों में पाश्चुरीकृत दुध का परिवहन करने के काम में लाये जाते हैं उन्हें स्वास्थ्य संबंधी सारे नियमों का पालन किया जायेगा और मुख्य रूप से निम्नलिखित :—

उनके आंतरिक सतह और अन्य भाग जो दुध के संपर्क में आते हैं एसएस 304 से चिकने पदार्थ से सुनिश्चित रूप से जिससे सहजता से धोए, साफ और विसंक्रमित, जंगरोधी और दुध में स्थानांतरित होने वाले पदार्थ ऐसी मात्रा में जो मानक स्वास्थ्य के लिये हानिकार न हो, दुध के संघटकों में परिवर्तन या उनके संवेदी लक्षणों पर विपरीत प्रभाव न डालते हों, बने होंगे।

—उनकी डिजाइन इस प्रकार की होगी ताकि दुध को पूर्ण रूप से बाहर निकाल सके यदि उनमें नल लगे हों तो यह आसानी से हटाए, निकाले, धोए व साफ व कीटाणु रहित किए जा सकने वाले होंगे,

—प्रयोग में लाने के बाद व जहां आवश्यक हो प्रयांग करने से पूर्व तुरन्त धोए, साफ व कीटाणु मुक्त किए जाएंगे।

—उन्हें पहले वह परिवहन से पूर्व समुद्रित वायुरोधी किसी युक्ति से मोह किया जाएगा।

(iii) पाश्चुरीकृत दुध के परिवहन के लिए प्रयोग किए जाने वाले यानों व आधानों को इस प्रकार से डिजाइन और सुसज्जित किया जाएगा कि वे परिवहन की अवधि में अपेक्षित ताप को बनाए रख सकें।

(iv) उष्मा उपचारित पीने वाले दुध के छोटे आधानों और मथनियों के परिवहन के लिए प्रयुक्त यान अच्छी दशा में होंगे उनका प्रयोग ऐसे किसी अन्य उत्पाद या पदार्थ के परिवहन के लिए नहीं किया जाएगा जिससे दुध के बिड़गने की संभावना हो उनकी अंतरीय सतह चिकनी व आसानी से धुलने वाली, साफ व रोगाणुमुक्त की जाने वाली होगी। दुध के परिवहन के लिए आशयित यानों के आंतर भाग स्वच्छता के सभी नियमों की अनुपालना में होंगे। छोटे डिब्बों या मथनियों में उष्मा उपचारित दुध के परिवहन के लिए आशयित इस प्रकार रूपांकित होंगे ताकि डिब्बों या मथनियों की समस्त संदूषण और वायुमंडलीय प्रभाव के विरुद्ध पर्याप्त संरक्षण दे सके और उनका पशुओं के परिवहन के लिए उपयोग नहीं किया जा सकेगा।

(v) अंत में सक्षम प्राधिकारी द्वारा नियमित रूप से जांच की जाएगी कि परिवहन के साधन और उद-भार या दशाएं स्वास्थ्य संबंधी अपेक्षाओं को पूरा करते हैं।

(vi) इस आदेश के अंतर्गत आने वाले उत्पादों को परिवहन की अवधि और दशाओं तथा नियोजित परिवहन के साधनों को ध्यान में रखते हुए ऐसी रीति से भेजी जाएगी जो उन्हें किसी ऐसी चीज से संरक्षित करती हो जो उनके संदूषण के लिए या उन्हें खराब करने के लिए उत्तरदायी हो।

उपाबंध —“घ”

1. स्वास्थ्य जांच और उपादन का पर्यवेक्षण

(i) स्थापन सक्षम प्राधिकारी के पर्यवेक्षण के अधीन होंगे जो यह सुनिश्चित करेगा कि इस आदेश की अपेक्षाएं पूरी की जाती हैं और विशेष रूप से,

(क) जांच

(i) परिसर और उपस्कर की सफाई और कर्मचारी-बृन्द की स्वास्थ्य की जांच;

(ii) स्थापन द्वारा की गयी जांच की गुणकारिता, विशेषतः परिणामों के परीक्षण द्वारा और नमून लेकर जांच,

(iii) दुध आधारित-उत्पादों की सूक्ष्म जीव और स्वास्थ्य संबंधी दशा की जांच;

(iv) दुग्ध आधारित-उत्पादों के उपचार की गुणकारिता

(v) अचालक नमूने लेकर संमुद्रित वायुरोधी आधानों की जांच ।

(vi) जहां भी लागू हो, दुग्ध आधारित उत्पादों के समुचित स्वास्थ्य चिन्हांकन की जांच,

(vii) भंडारण और परिवहन दशाएं,

(ख) प्रयोगशाला परीक्षणों के लिए अपेक्षित नमूनों को लेना,

(ग) इस आदेश के अनुपालन को सुनिश्चित करने के लिए कोई अन्य जांच करना जो वह आवश्यक समझे ।

(ii) सक्षम प्राधिकारी की शीत संग्रहण और सभी कार्यकारी परिसरों में यह जांच करने के लिए कि इन उपबंधों का कड़ाई से साथ पालन किया जा रहा है हर समय मुक्त पहुंच रखेगा ।

[फाईल सं. 6/1/2000-ईआईएण्डईपी]

पी. के. दास, निदेशक

New Delhi, the 28th November, 2000

S.O. 2720.—In exercise of the powers conferred by Section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby makes the following rules, namely:

1. Short title and Commencement.—(a) These rules may be called the Export of Milk Products (Quality Control, Inspection and Monitoring) Rules, 2000.

(b) They shall come into force on the date of their publication in the Official Gazette.

2. Definition.—In this notification unless the context otherwise requires, the following definitions shall be applicable:

(a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

(b) "Agency" means any one of the Export Inspection Agencies at Mumbai, Calcutta, Cochin, Delhi and Madras established under section 7 of the Act.

(c) "Batch" means a quantity of milk products which have been prepared under the same conditions and in particular treated in single continuous operation;

(d) "Certificate" means certificate issued under sub-section (3) of Section 7 of the Act stating that the commodity conforms to the conditions regarding Quality Control and Inspection;

(e) "Collection Centre" means an establishment where raw milk may be collected and possibly cooled and filtered.

(f) "Competent Authority" means any one of the Export Inspection Agencies at Bombay, Calcutta, Cochin, Delhi and Madras established under section 7 and Inspection of the Act.

(g) "Composite Milk Products" Composite Milk Product is a product of which the milk, milk products or milk constituents are an essential part either in terms of quantity or for the characterisation of the product:

Provided that the constituents not derived from milk are not intended to take the place in part or in whole of any milk constituent.

(h) "Consignment" means a quantity of milk products for a single delivery to one destination for further processing by the food industry or intended for direct human consumption;

(i) "Council" means the Export Inspection Council established under section 3 of the Act;

(j) "Country of Despatch" means India;

(k) "Country of Destination" means the country to which milk products are dispatched from India;

(l) "Heat Treatment" any treatment involving heating that causes, immediately after it has been applied, a negative reaction to the phosphates test.

(m) "Hermetically sealed container" means container which, when sealed, is intended to protect the contents against the entry of micro-organisms during and after heat treatment and which is impervious;

(n) "Holding" means an establishment at which one or more dairy animals and their followers are kept;

(o) "Milk Products" means Milk products, namely products exclusively derived from milk, it being accepted that substances necessary for their manufacture may be added, provided that these substances are not used to replace in part or in whole any milk constituents, and composite milk products of which not part replaces or is intended to replace any milk constituents and of which milk or a milk product is an essential part either in terms of quantity or for characterisation of the product.

(p) "packing" means the placing of milk products in any form of package;

(q) "Packaging" means the placing of one or more wrapped or unwrapped products as in a container, as well as the container itself;

(r) "Placing on the market" means the stocking or display with a view to sale, offering for sale, delivery or any other manner of disposal with the exception of retail sale, which must be subject to the checks laid down by national rules for retail business.

(s) "Plant" means any premises where milk products are processed and manufactured.

(t) "Potable water" means water that has been approved by State Health Authority or other Agency or Laboratory acceptable to the Competent Authority as safe for drinking and suitable for food processing

(u) "Raw Milk" means the milk products by secretion of the mammary glands of one or more cows, ewes, goats or buffaloes, which has not been heated beyond 40°C or undergone any treatment that has an equivalent effect;

(v) "Thermisation" is a heat treatment applied to raw milk aimed at reducing the number of organisms in milk and permitting longer storage of the milk prior to further processing. The heating conditions are 62° to 65°C for 15 to 20 seconds. Thermized milk must be phosphatase positive.

(w) "Treatment establishment" means an establishment or production holding where milk and/or products are treated, processed and packed;

(x) "UHT ('Ultra High Temperature) Treatment" treatment of milk or cream is a high-temperature/short-time heat treatment aimed at producing a commercially sterile product, which can be stored at room temperature. The process aims to destroy all microorganisms; any residual microorganisms are unlikely to cause spoilage under normal storage conditions. UHT-treated milk and cream are packed aseptically into sterilized, hermetically sealed containers. The total heat treatment equivalent, in terms of its effectiveness against heat-resistant spores, to a minimum F° value of 3 min.

The temperature for UHT treatment is in the range of 135 degree—150 degree C in combination with appropriate holding times such as 140V for 2—3 seconds.

\*A hermetically sealed container is a container that is designed and intended to be secure against the entry of micro organisms.

(y) "Wrapping" is the protection of the products by the use of an initial wrapping or initial container in direct contact with the products concerned as well as the initial wrapper or initial container itself;

### 3. BASIS OF COMPLIANCE :

(a) It shall be the responsibility of the processors to ensure that the milk products intended for exports are handled processed at all stages of production, storage and transported under proper hygienic conditions so as to meet the health requirement laid down under these rules and that the product conforms to the specifications given in the order by the Central Government under section 6 of the Act.

(b) The Competent Authority shall ensure that all the processors comply with the requirement by regular monitoring of the plant as per the control measures prescribed in the Para of this part. For effective monitoring of the scheme, Council shall issue necessary instructions in this regard from time to time.

4. The Milk products for Export shall be subjected to the following conditions :

4.1 Any statutory restriction imposed by any State/ Central Government with respect to commercial/ environmental conservation measures from time to time shall strictly be adhered.

4.2 They must have been obtained from milk of dairy animals which meet the requirements given in item 1 to 4 of Annexure A.

4.3 They must contain only the permissible food additives/processing aids, other than milk, which are fit for human consumption.

4.4 They must have been treated and prepared in an approved plant which complies with Chapters I and II, V and VI of the Annexure B and satisfy the requirements of these rules.

4.5 They must have been processed and/or manufactured under hygienic conditions complying with Items 2 and 5 of Annexure B from milk meeting the requirements laid down in Annexure C.

4.6 They must have undergone a processing treatment which enables them to meet inter alia the analytical specifications laid down in item 3 of the Annexure C.

4.7 They must have undergone a health marking and labelling in accordance with item 5 of the Annex.

4.8 They must have been packed in accordance with item 4 of Annexure C.

4.9 They must be stored and transported in accordance with item 6 of the Annexure C.

4.10 The period during which the milk products are fit for human consumption and storage shall be indicated by the processor.

4.11 The results of the various checks and tests are recorded and kept for presentation to the competent authority for a period of two years.

4.12 To detect any residues of substances having a pharmacological or hormonal action, and of antibiotics, pesticides, detergents and other substances should not be present in milk which might alter the sensory characteristics of milk products or make their consumption dangerous or harmful to human health.

4.13 If the milk products examined show traces of residues in excess of the permitted levels fixed, they must not be allowed either for the manufacture of foodstuffs or for direct human consumption.

4.14 Tests for residues must be carried out in accordance with National/Internationally recognised methods.

4.15 Having satisfied itself that the plant meets the requirements with regard to the nature of the activities if carries out, the competent authority shall accord approval to such plant for a period of one year.

4.16 The Competent Authority may take the assistance of a representative each from EIC, APEDA, Ministry of Food Processing Industries, National Dairy Development Board, and representative of industry and co-operatives and experts from National Dairy Research Institute etc. in the matter of approval of processing plants.

4.17 The competent authority shall draw up a list of the approved plants, each of which have an official number and the competent authority shall furnish to appropriate authorities the list of approved plants and subsequent change thereof.

4.18 The inspection and monitoring of plant and packaging centres shall be carried out regularly by the competent authority, which shall at all times have free access to all parts of the plants, in order to ensure that these rules are being observed. The health checks and supervision of production shall be carried out as per the elements given in Annexure D.

### 5. CERTIFICATION :

(a) On request from the plant, the competent authority shall issue health certificate in the prescribed proforma after satisfying itself that the milk products are processed in approved processing plants having valid approval number and after satisfying the relevant requirement.

(b) The Competent Authority shall also issue vague certificates on request from the processor or exporter after satisfying itself that the requirements of the relevant standards are met;

### 6. FEE :

(a) A fee of Rs. 5,000 shall be paid by the processor along with the application for approval of the milk processing plant.

(b) A fee at the rate of 0.2 percent of F.O.B. value shall be paid by the processor or exporter to the Competent authority;

### NOTE :

The amount of fee for each consignment payable by the processor/exporter shall be rounded off to the nearest rupee and, for this purpose, where such amount contains a part of a rupee then if such a part is 50 paise or more, it shall be increased to one rupee and, if such part is less than 50 paise, it shall be ignored.

7. Competent Authority shall take actions if the requirement cease to be met.

### 8. APPEAL :

8.1 Any person aggrieved by the

(i) Decision of the competent authority not according the approval as per rule 4.15.

(ii) Refusal of competent authority to issue Veterinary Health Certificate as per rule 5 of this notification;

(iii) Decision of the competent authority to denotify processor/exporter as per rule 7 of this notification;

8.2 Any person aggrieved by the decision of the competent Authority may prefer an appeal within 10 days of receipt of such decision to an Appellate Authority appointed by the Central Government;

8.3 The Appellate Authority shall consist of five members appointed for the purpose by the Central Government;

8.4 The appeal shall be disposed of within 15 days of its receipt and its decisions shall be final.

#### ANNEXURE A

### REQUIREMENTS RELATING TO THE ACCEPTANCE OF RAW MILK AT TREATMENT AND/OR PROCESSING ESTABLISHMENTS

#### 1. ANIMAL HEALTH REQUIREMENTS FOR RAW MILK

##### 1.1 Raw milk shall originate from—

- (i) animals which are apparently healthy and do not show any visible symptoms of infectious disease likely to be transferable to humans through milk;
- (ii) dairy animals which do not give the milk of abnormal sensory characteristics;
- (iii) dairy animals which do not show any under wound likely to affect the milk quality;
- (iv) animals which have been treated with antibiotics or other veterinary drugs which can be transferred to milk shall not be brought to the collection centre, unless the retention period of drug following such treatment has been inspected.

#### 2. HYGIENE OF THE HOLDING

- (1) Holding from which raw milk is coming shall be maintained in such a way as to ensure—
  - (a) good conditions of housing, hygiene, cleanliness and health of the animals; and
  - (b) satisfactory hygiene conditions for milking, handling, storing and cooling (where applicable).
- (2) Premises where milking is performed or milk is stored, handled or cooled must be so said and/or constructed as to avoid all risk of contamination of the milk.
- (3) All efforts shall be made to ensure proper cleanliness and ventilation in the animal premises/shed with proper sunlight. There shall be sufficient drainage so as to avoid accumulation of filth.
- (4)(i) The animals shall be held in clean, dry environment,
- (ii) On a regular basis, the manure and residual food materials shall be heaped away from the animal premises/shed.
- (5) Animal shed shall be free flies.
- (6) Milking of the animals shall be carried out in a clean and as far as possible dry environment.
- (7) Where milk producing animals are kept untethered in the open, the holding must also have a milking area adequately separated from the housing area.
- (8) The isolation of animals which are infected or suspected of being infected, the separation of animals from the rest of the herd must be possible and effective.
- (9) Animals of all species must be kept away from premises and sites where milk is stored, handled or cooled.
- (10) Animals on production holdings should as far as possible undergo inspections to ensure that the requirements of Animal health are being complied with.
- (11) Production holdings shall be regular checked to ensure that hygiene requirements are being complied with. The frequency of these checks must take account of the assessment of risk on the production holding concerned. If the inspection show that hygiene is inadequate, appropriate steps shall be taken to improve the hygienic conditions.

### 3. HYGIENE IN MILKING, THE COLLECTION OF RAW MILK AND ITS TRANSPORT FROM PRODUCTION HOLDING TO THE COLLECTION CENTRES OR PROCESSING ESTABLISHMENTS.

#### (1) Hygiene in Milking—Milking Equipments

- (i) Milking equipment/utensils shall be made of corrosion resistant metals with smooth surfaces and wide mouths which are easy to clean and do not affect the sensory quality of milk.
- (ii) Milking utensil must have a lid or cover.
- (iii) Milking utensils should be thoroughly washed by detergent such as washing soda followed by rinsing with potable water and preferably sun dried.

#### (2) Storage Condition at Farmer's level

- (i) Milk shall be brought to the milk collection point as soon as possible immediately after milking in closed containers.
- (ii) If the milk is not collected within four hours of milking, it must be cooled to a temperature of 7°C or lower in the case of two consecutive collections or 4°C or lower in collection is not daily. While the milk is being transported to the treatment and/or processing establishment, its temperature must not exceed 8°C.

#### (3) Hygienic Milking Practices

##### (a) Feeding

The feed and fodder for milking animals shall be palatable, nutritious, safe and suitable for feeding and shall not present a risk of transferring residues of fertilizers, toxins, etc.

##### (b) Vermins

Vermins shall be combated in such a way that it does not result in residue, i.e., pesticides, insecticides, toxins, etc. in milk.

##### (c) Hygienic Milking

Before milking, the udder as well as surrounding area of the animals shall be properly cleaned with water and dried. Animal shall be groomed properly and hair removed from the body, so that the risk contamination of milk can be avoided. Further, animals should be washed regularly.

Before every milk, a sample of milk from each teat shall be checked for freedom of foul smell and any visible abnormalities like blood, pus, flakes, etc. Such milk shall not be used for human consumption.

#### (4) Personal Hygiene

- (i) Absolute cleanliness should be required of personnel of specifically—Milking should be carried out under good personnel hygiene of the milker, i.e., he/she should not be suffering from diseases, especially cough and cold, should wear clean clothes, wash hands properly and cut nails periodically before milking.

For this purpose, suitable hand washing facilities are required near the place of milking.

- (ii) Precautions may be taken to ensure that persons liable to contaminate raw milk shall not be allowed to handle it.

#### (5) Production Hygiene

A suitable mechanism shall be established to prevent water being added to raw milk.

#### (6) Milk Reception at Collection-cum-Chilling Centre

##### (a) Premises

Rooms in the milk collection centre must be clean and risks of contamination may be reduced to the minimum by providing satisfactory safeguards. Adequate provision must be made for cleaning and sterilisation of containers and utensils.

The floors of the rooms of the collection centre may be constructed of concrete or other impervious material so that it should be easily cleaned. It shall be suitably inclined to hasten rapid drainage of wash water.

The walls and ceilings of the rooms should have a smooth non-absorbent surface so that they can be efficiently cleaned. The building should be well lighted and adequately ventilated.

The surroundings of the collection centre should be maintained clean and free from any water logging. Proper method should be employed for pest control.

#### (b) Milk Collection Equipment

After every shift for milk collection, all milk collection and testing equipment should be thoroughly cleaned with detergent and cleaned water.

Cleaned, Sanitized, Empty milk cans provided by the dairy should be properly rechecked and if required may be washed with detergent and clean hot water.

#### (c) Collection of Milk

Before collection each individual farmer's milk should be examined for sensory test. At the time of collection, a strainer or a cleaned cloth may be used to remove any suspended particle in the milk. The collection time at the centre be fixed as per the lorry/tanker timing of the processing plant.

As far as possible milk cans should be filled completely and the lid firmly placed on the can before using another can. This will increase the shelf life of milk, reduce the fat separation and also the risk of contamination during transportation.

#### (d) Despatch of Milk and Chilling

Milk should be despatched to dairy plants in such a manner that the interval between milking and the arrival at the processing plant does not exceed four hours, depending upon the local climatic conditions.

In case the distance between the processing plant and collection centre is large, then milk should be chilled to 10°C or below before despatch to the processing plant. Cleanliness of the milk-cooling equipment should be ensured. Further, the bulk coolers should be provided with metal shields for protection from air contamination.

#### (7) Transportation of Milk from the Farm and Villages to the Collection-cum-Chilling centres and processing plants

During transportation of milk in cans from the farm and villages to the collection centre, adequate precautions should be taken en route to ensure that the deterioration in quality of milk is minimised.

Cans should have close fitting lids. The filled cans should be adequately protected from sunshine. Rain or dirt should not be allowed to come in contact with the inner portion of the can. No packing such as jute, newspaper, straw etc. between can lids and the can neck should be used.

Water from dripping vegetation or splashes on the road should not be allowed to come in contact with cans.

No other material should be loaded on the same vehicle which carries milk cans.

When road or rail tankers are used to carry milk, they should be so designed that, as far as possible, agitation is prevented during transport.

All the hygienic practices for preservation of milk should be borne in mind while using the tanker system for transporting milk.

The edge of the manhole in the tanker should be flanged upwards so as to prevent dripping into the tank when lid is lifted. A special cover has to be

provided over the lid for protection from dust or dirt from the road. Similarly, a cover should be provided over any valve or hose connector.

Tankers should be so constructed as to be easily cleanable and the design of tankers should conform to best technical and hygienic standards. The cleaning and sanitation of the tankers should be done at the end of operations.

The insulation material should be of such quality that the temperature of milk should not be allowed to rise more than 2°C during transportation.

Violent agitation or surging in the tank should be minimised to avoid breaking of bacterial clumps or alteration of fat globules or admixture of air.

#### 4. Raw Milk Standards

Raw milk collected for further processing shall conform to the following standards :

- |                                  |   |  |
|----------------------------------|---|--|
| (a) Heavy Metals                 | — | The raw milk shall conform to the relevant National/International standards. |
| (b) Pesticides Residues          | — | —Do—   |
| (c) Aflatoxin                    | — | —Do—   |
| (d) Antibiotic residues          | — | —Do—   |
| (e) Contaminants and adulterants | — | —Do—   |

#### ANNEXURE B

#### 1. GENERAL CONDITIONS FOR APPROVAL OF TREATMENT ESTABLISHMENTS AND PROCESSING ESTABLISHMENTS

The processing plant shall meet the following requirements :

##### (a) Site

The processing plant/dairy shall preferably be situated in open, clean, and healthy surroundings away from roadside where lot of dust arises due to vehicular traffic; garbage dumps; cattle sheds; open sewage drains or other places likely to breed flies. It shall be free from sources of obnoxious fumes, smoke, odours or excessive dust. There shall not be accumulation of fresh, garbage or similar waste in the vicinity of the plant.

##### (b) Building

Structures housing the dairy shall be suitable in size, construction and design to facilitate maintenance and hygienic operations for processing purposes. It should provide sufficient space for housing of equipment and storage materials (raw as well as finished products) necessary for hygienic operations. The material of construction shall be of brick, plaster, cement, concrete, tile or any other equivalent materials which ensure cleanliness. Construction of the building shall be such that it shall be rodent proof, flyproof and birdproof. No portion of building shall be used for domestic purposes or other types of food operations unless separated by suitable partitions or locations or other effective means.

##### (c) Ventilation and Lighting

The processing plant/dairy shall be adequately lighted and ventilated keeping in mind the number of workers, their hours of work and nature of operation. Ventilation and lighting shall also be in accordance with Factory Act 1948.

##### (d) Floors, Walls and Ceilings

The floor shall be smooth, washable, properly sloped to gullies connected to sewers or drains. It shall be impervious to water and not affected by weak acids, alkalis or steam. Hard smooth and impervious flooring, such as cement concrete flooring shall be made for fork room, store room and

godown. Internal walls and ceilings shall be smooth non-absorbent light-coloured surface, free from crevices and sharp angles, to facilitate their efficient cleaning. The junction of the floor with the walls and junction between the two walls shall be rounded to prevent accumulation of dust.

The dairy floors, walls and ceilings shall be regularly cleaned.

(c) Repairs

The building shall be maintained in a proper state of repair and cleanliness at all times. Whenever required, it may be lime washed, painted, disinfected, and deodorised.

(f) Processing Room

The room shall be made flyproof and rodent-proof. The floor shall be impervious to water and shall have a sufficient slope to ensure drainage. Drains in processing rooms shall be cemented and covered with detachable covers. Drains shall be kept clean and shall be provided with traps at suitable places before they are connected with the municipal drain to avoid blocking or choking, or in the absence of any such arrangement, they shall be drained in soakage pits situated at a suitable distance from the dairy and also the source of water supply. Adequate facilities for washing the room shall be provided. Adequate number of wash basins and sinks shall be provided. Proper ventilation shall be maintained to prevent condensation and drippage. Exhaust fans shall be provided where necessary.

The processing rooms shall be provided with effective means to prevent the entry of flies and insects. Such effective means may be screens, fans, air curtains, etc. The processing rooms should be provided with self-closing double doors. The doors and windows should be covered with flyproof wire gauge, and they should be open outwards.

Effective drainage shall be provided to drain off a large quantity of water shed for washing the machinery, equipment, furniture, floor etc; 15 to 30 cm half circular drains with glazed pipe at the bottom should be provided. The slope of the floor should be towards the drains and the farthest end of the floor from the drain should not be more than 5 meters. The drain openings should be provided with screen traps to prevent solid matter from clogging the drains. The ends of the drains leading to the outside of the factory should be made rodent proof by providing screens. The screens shall be examined periodically and replaced or cleaned, if necessary. The drains should have water seals of minimum 5 cm. At least 50 per cent of the length of the drain should be covered to facilitate the movement of trolleys. Mesh type for the drain should be better to prevent habitation of cockroaches and rodents in closed areas of the drain.

Instruments and working equipment intended to come into direct contact with raw materials and products shall be made of corrosion-resistant material and easy to clean and disinfect.

The processing plant shall have

- an appropriate number of changing rooms with smooth, water proof, washable walls and floors, wash basins and flush lavatories. The latter must not open directly on to the work rooms. Wash basins must be equipped for hand-washing and have hygienic means of drying hands; wash-basin taps must not be hand-operable;
- a room or a cupboard secure place for the storage of detergents, disinfectants and similar substances;
- a room or cupboard for storing, cleaning and maintenance material;
- adequate facilities for cleaning and disinfecting tanks used for transporting milk and liquid or

powdered milk-based products. However, such facilities are not compulsory if there is a requirement for the means of transport to be cleaned and disinfected in installations officially approved by the competent authority.

## 2. GENERAL CONDITIONS OF HYGIENE IN TREATMENT ESTABLISHMENTS AND PROCESSING ESTABLISHMENTS.

### (a) General Dairy Hygiene

Waste and refuse shall be collected in covered receptacles and shall not be allowed to scatter on the floor of the unit. It should be disposed of in a manner which is not detrimental to the hygiene of the surroundings of the disposal.

Adequate measures shall be taken to prevent mould growth on equipment and internal structures of processing and storage rooms. Adequate steps shall be taken to prevent infestation of cockroaches, and other household pests.

When pesticides are used, due care shall be exercised to prevent contamination of equipment, raw materials and packing materials. Under no circumstances shall these be used during processing.

Floors and drains shall be kept clean. On no account shall the process room be used or converted to a store room for raw materials or used as eating room. Only the items required for processing on a particular day shall be kept in the process room. No lavatory, sink, cesspool or garbage shall be so situated or maintained that odours or fumes therefrom pervade any room where the milk is stored or processed. Power places shall be provided for storage of brooms, brushes, buckets and other cleaning gear.

The dairy effluents duly treated so as to conform to local statutory norms shall be disposed in a manner which is not detrimental to the hygiene of the dairy and its surroundings. The effluents shall not be let off on road or in the open outside the dairy premises. Window, glass and light fittings shall be maintained clean and dust-free at all times.

There shall be no cobwebs in any part of the dairy. Birds and domestic animals shall not be allowed in any part of the dairy.

All pumping and waste disposal lines should be large enough to carry peak loads. All lines should be watertight and the waste disposal should be affected in such a manner as not to cause contamination with potable water-supplies.

Premises should be well lit and ventilated. Special attention should be given to equipment producing excessive heat, steam, obnoxious fumes or vapours. Good ventilation should be provided and mould growth in overhead structures should be prevented. Light bulbs and fixtures suspended above should be of safety type.

### (b) Plant and Equipment Hygiene

Material for equipment—All surfaces coming into contact with the milk shall be smooth, free from pits, crevices and loose scale and shall be non-absorbent. Furthermore, the surface shall be non-toxic and unaffected by milk and cleaning compounds. The finish of corrosion-resistance (stainless steel, etc. surfaces shall be smooth.

All gasketing materials shall be food grade quality and non-porous, non-absorbent, and fitted in a manner such as to prevent its protruding into the milk or creating recesses or ledges between the gasketed joints which will interfere with proper cleaning.

### (c) Installation of Equipment

All equipment shall be installed on a foundation of durable, easily cleanable material. Equipment shall

be placed at least 45 cm from wall and ceiling, or sealed water-tight thereto. All portions of the equipment shall be installed sufficiently spaced above the floor on a minimum number of supporting members to provide access for inspection and cleaning, or be installed completely sealed (water-tight) to the floor. Whenever equipment passes through wall or floors, it shall be sealed thereto or sufficient clearance shall be allowed to permit inspection, cleaning and maintenance.

Where necessary, drains and catch pans shall be provided. These shall be of such dimensions as to collect all spill and drip, and readily accessible or readily removable for cleaning. Where pipes pass through ceilings into the floor of the processing area above, pipe sleeves shall be inserted in the floor above so that their upper periphery is at least 5 cm above the floor.

All electrical connections, such as switch boxes, control boxes, conduit and cables, shall be installed at least 45 cm away from the equipment walls to facilitate cleaning, or be completely sealed to the equipment or wall.

All equipment coming into contact with milk shall be kept clean. An ample supply of steam and water, hose, brushes, detergents and other equipment necessary for the proper cleaning of machinery and equipment shall be available. All equipment should be cleaned and sanitised. All parts of equipments coming into contact with milk shall be sterilized by steam or any other suitable sterilizing agent after each processing run. The entire processing system shall be cleaned at the close of operation and flushed out with potable water prior to use. Contaminating stores and spare parts of machinery shall be kept separate from the processing areas.

Bottles, pails, cans and other containers used to transport or store milk shall be kept clean and not used for any other purpose.

It shall be ensured that containers for milk are kept clean. The containers shall not be stacked in a manner which allows the contamination of the product.

#### (d) Water supply—

There shall be an adequate supply of safe and potable water. Running water under pressure shall be easily accessible to all rooms and areas in which milk is handled and equipment were washed. The equipment shall be so installed and used that back siphonage of liquid into the potable water lines is precluded.

Hot and cold water in ample supply shall be provided for plant clean-up needs where necessary. The storage tanks for water should, unless completely sealed, be kept covered with tight fitting lids, examined regularly and cleaned out at least once every six months. The date of the last cleaning and next cleaning shall be prominently displayed on the storage tanks. The water shall be periodically examined as desired by the licensing authority chemically and bacteriologically. A record of such examination shall be maintained.

#### EMPLOYEE HYGIENE

Every person employed in connection with production, handling, processing and distribution of milk shall be medically examined by an authorised registered medical practitioner and the examination shall include X-Ray of the chest for tuberculosis. The examination shall also include, examination of stool for protozoal and helminthic infestation for those parasites which are transmitted by ingestion, and for the presence of *Salmonella*, *Shigella* species and *Vibrio cholerae*; urine and blood examination for venereal diseases. Subsequently, the employee shall be medically examined once in a year or more frequently; if necessary, to ensure that he/she is medically fit and free from communicable diseases. A record of such examination shall be maintained.

It shall be impressed on all employees that they should notify to the medical officer or management, cases of fever, vomiting, diarrhoea, typhoid, dysentery, boils, cuts and sores and ulcers (however small), discharging ears and notifiable diseases occurring in their own homes and families.

No worker who is suspected to be suffering from any of the disorders listed above shall be permitted to work inside the dairy. The supervisor shall check the personal hygiene of the workers before the start of work and whenever they enter any processing room after any absence.

Employees shall keep their finger nails short and clean and wash their hands with soap or detergent and water before commencing work and after each absence, specially after using sanitary conveniences. Towels used for drying hands should be clean. No worker shall allow his hands or any part of his body or clothing to come in contact with the milk. He should adopt strict hygienic practices so as to avoid adding any microbial contamination to the milk.

All employees shall be inoculated and vaccinated against the enteric groups of diseases once a year and against small pox once in two years. In case of an epidemic all workers shall be inoculated. A record shall be maintained. No worker shall be allowed to work without proper clothing and foot wear.

Employees shall be provided with clean uniforms (preferably white) or aprons or both and clean washable caps, wherever necessary. Separate room or place for changing the clothes shall be provided. The clothes shall not be hung in any processing room. The uniforms shall not be worn outside the dairy but put on just before starting the work and changed when leaving.

Eating, spitting, nose cleaning or the use of tobacco in any form including smoking or chewing betel leaves shall be prohibited within the processing, packing and storage area of the dairy. Notice to this effect shall be prominently displayed and enforced.

Sufficient and suitable sanitary conveniences shall be provided, maintained and kept clean. The conveniences shall be properly lighted. Separate conveniences shall be provided for each sex. No convenience shall open directly into any work room in the dairy. The conveniences shall always be maintained clean and in good repairs.

Sufficient number of wash basins with adequate provision of nail brushes, soap and towels, latrines and urinals in the prescribed manner should be provided, conveniently situated and accessible to workers at all times while they are the dairy. The wash basins shall be installed in or alongside the sanitary conveniences.

The importance of hygienic and aesthetic standards should be inculcated to the personnel, since carelessness at any stage will endanger the health of the consumers.

3. Special Requirements for registration of collection centres.—In addition to the general requirements laid down at item 1 above, the collection centres must have at least :

- (i) cooling facilities if milk is stored at the collection centre.
- (ii) Testing facilities to check fat and SNF content. These should include milk testing equipment.
- (iii) Milk collection equipment which should be properly sanitized.

4. Special requirements for the approval of Treatment Establishments and Processing Establishments.—In addition to the general requirements laid down in 1 above, treatment establishments and processing establishment must have at least :

- (i) equipment for the cooling and cold storage of heat-treated milk, liquid milk-based products. Cold Stores must be equipped with correctly calibrated temperature measuring apparatus;
- (ii) — in the case of wrapping in disposable containers, an area for the storage of such containers and for storage of the raw materials intended for their manufacture,



- in the case of wrapping in re-usable containers, a special area for their storage and equipment designed to clean and disinfect them mechanically;
- (iii) containers for storing raw milk, standardization equipment and containers for storing standardized milk;
- (iv) if appropriate, centrifuges or any other suitable means for removal of extraneous matters from milk;
- (v) heat-treatment equipment fitted with:
  - an automatic temperature control,
  - a recording thermometer,
  - an automatic safety device preventing insufficient heating, or cooling medium, and
  - an adequate safety system preventing the mixture of pasteurized or sterilized milk with incompletely heated milk, and
  - a recording device for the safety system referred to in the preceding indent;
- (vi) equipment for the cooling, packing and storage of frozen milk products if such operations are carried out there;
- (vii) equipment for drying and packing powdered milk products if such operation are carried out there.

5. Hygiene requirements relating to the premises equipment and staff of Treatment Establishments and Processing Establishments.—In addition to the general requirements laid down above establishments must comply with the following conditions:

- (i) Cross-contamination between operations by equipment, ventilation or staff must be avoided. If appropriate, and in the light of the assessment of risk, rooms intended for production processes shall be divided into wet and dry areas, each having its own operating conditions.
- (ii) As soon as possible after each journey, or after each series of journeys where there is only a very short space of time between unloading and the following loading, but in any event at least once each working day, containers and tanks used for transporting raw milk to the milk collection or standardization centre or to the milk treatment or processing establishments must be cleaned and disinfected before reused.
- (iii) Equipment, containers and installations which come into contact with milk or milk-based products or other perishable raw materials during production must be cleaned and disinfected at the end of each work phase and at least once each working day.
- (iv) The treatment premises should, if necessary, be cleaned at least once each working day.
- (v) For the cleaning of other equipment, containers and installations which come into contact with microbiologically stable milk-based products and with rooms in which such substances are placed, the operator or manager of the establishment shall draw up a cleaning programme based on the assessment of risk. The programme must meet the requirement referred to in item 1 and must also ensure that the product does not become unsafe and a health risk to the consumer as a result of inadequate cleaning methods.

#### ANNEXURE C

#### 1. REQUIREMENTS FOR MILK FOR THE MANUFACTURE OF MILK PRODUCTS

- (i) The operator or manager of the processing establishment must take all necessary steps to ensure that the raw milk is treated (within 36 hours of acceptance), if the milk is kept at a temperature not exceeding 6°C, or within 48 hours of acceptance if the milk is kept at a temperature of 4°C or lower.
- (ii) Heat-treated milk intended for the manufacture of milk products must be obtained from raw milk,

which complies with the standards, laid down in Annex A.

(iii) Heat-treated milk must meet the following requirements:

- (a) Pasteurized milk must comply with Clause 2(a) of this Annex.
- (b) UHT milk must have been obtained by the treatment as defined under the item on definition and shall comply with the requirements given therein.

#### 2. MILK PROCESSING

Prior to processing, raw milk shall be filtered or clarified to remove visible dirt and any other foreign material in it. The milk may be homogenized before pasteurization at appropriate pressure.

After completion of the day's run, the part of the homogenizer shall be dismantled and thoroughly washed with detergent solution followed by rinsing with hot water. Before using fresh batch of milk, the homogenizer shall be sterilized by pumping through it hot water or chlorine solution. The piston packing and leather gaskets of the homogeniser when worn out, shall be replaced as early as possible.

##### (a) Pasteurisation:

The milk shall be heated to at least 66°C and held at 66°C continuously for at least 30 minutes, or it shall be heated to at least 74°C and held at 74°C continuously for at least 15 seconds in a standard and properly operated equipment. Other temperature and time combinations that enable the pasteurised milk to meet the hygienic requirements may also be adopted after approval by competent authority. To ensure that the bacteria present in the form are killed, space heaters should be provided. The clear positioning and accuracy of the indicating and recording thermometers shall be checked regularly. The long stem indicating thermometer shall be accurate within  $\pm 0.5^\circ\text{C}$ . The recording thermometer shall be accurate within  $1^\circ\text{C}$  between 63 and 64°C for holder pasteurization and within  $1^\circ\text{C}$  and between 71°C and 72°C for high temperature short time (HTST) pasteurization.

After holding the milk, it should be cooled immediately in the standard and properly operated equipment to a temperature not exceeding  $5^\circ\text{C}$ . The pasteurized milk should be maintained at a temperature not exceeding  $7^\circ\text{C}$  until it leaves the milk plant for distribution.

All parts of the pasteurizer should be kept in a hygienic condition. Appropriate type of detergents/sanitizers which do not adversely affect the quality of milk should be used for effective cleanliness and sterility of the pasteurization plant. The rubber gaskets of the pasteurizer need special attention in regard to cleaning operations because of the deposition of milk residues. All possible precautions shall be taken to avoid recontamination of raw milk after pasteurization through improperly designed or leaky equipment pumps, dirty bottles and bottling equipment, contaminated water, dust flies and from dirty habits of dairy plant personnel.

Pasteurized milk shall be filled in suitable package of standard quality. The package shall be so shaped as to permit effective cleaning operation. The package should not have inaccessible corners where milk deposits or scales are likely to accumulate or difficult to clean. The returned empty package shall be appropriately cleaned and sanitised using suitable detergent and sanitizer.

##### (b) Laboratory Control

The control dairy laboratory plays a vital role in checking the efficiency of milk processing. A well-equipped laboratory with competent quality control staff is essential for an efficient operation of milk processing plant. Depending upon the quantity of milk handled by each dairy, appropriate layout plan may be formulated.

##### (c) Milk Products

All the milk products manufactured in the processing plants should conform to the hygienic requirements outlined above. Wherever applicable the milk products should also conform to the national/international standards.

**3. MICROBIOLOGICAL CRITERIA FOR MILK PRODUCTS:**

A. Microbiological criteria for certain milk-based products on removal from the processing establishments.

**(i) Compulsory criteria : Pathogenic micro-organisms**

| Type of Micro-organism        | Products   | Standard (ml, g)                |
|-------------------------------|--|---------------------------------|
| <i>Listeria monocytogenes</i> | Cheese, other than hard cheese<br>other products | Absent in 25 g<br>Absent in 1 g |
| — <i>Salmonella</i> spp       | All milk products except Milk Powder.            | Absent in 25 g                  |
|                               | Milk Powder                                      | Absent in 25 g                  |
| <i>Shigella</i>               | All milk products.                               | Absent in 25 g                  |

In addition, pathogenic micro-organisms and their toxins must not be present in quantities such as to affect the health of consumers.

If these standards are exceeded, the foodstuffs must be excluded from human consumption and withdrawn from the market.

Sampling programmes will be drawn up in the light of the nature of the products and the assessment of risk.

**(ii) Analytical criteria : organisms indicating poor hygiene**

| Type of Micro-organism           | Products                                    | Standard (ml, g)                       |
|----------------------------------|---|--|
| — <i>Staphylococcus aureus</i> . | Soft cheese (made from heat-treated milk)   | m = 100<br>M = 1 000<br>n = 5<br>c = 2 |
|                                  | Fresh cheese                                | m = 10<br>M = 100                      |
|                                  | Frozen milk products (including ice-cream). | n = 5<br>c = 2                         |
|                                  | Milk Powder                                 | Absent in 0.1/g                        |
|                                  | Other Dairy Products                        | Less than 100/g                        |
| <i>Escherichia coli</i>          | Soft Cheese and other dairy products        | m = 100<br>M = 1 000<br>n = 5<br>c = 2 |
|                                  | Milk powder                                 | Absent in 0.1 g                        |

In all cases where these standards are exceeded there must be a review of the implementation of the methods for monitoring and checking critical points applied in the processing establishment. The competent authority shall be informed of the corrective procedures included in the production monitoring system to prevent any repetition of the occurrence.

If strains of enterotoxinogenic *Staphylococcus aureus* or strains of *Escherichia coli* that are presumed to be pathogenic are identified, all the batches involved shall be withdrawn from the market. In this case the competent authority shall be informed of the findings and of the action taken to withdraw the suspect batches and the corrective procedures introduced into the production monitoring system.

**(iii) Indicator organisms : guidelines**

| Type of Micro-organism | Products              | Standard (ml, g)   |
|------------------------|-----------------------|--|
| Coliforms              | Liquid Milk products  | m = 0<br>M = 5<br>n = 5<br>c = 2                                     |
|                        |                       | Butter Made from Pasteurized milk or Cream.                          |
|                        |                       | m = 0<br>M = 10<br>n = 5<br>c = 2                                    |
|                        |                       | Frozen milk products (including ice-cream).                          |
|                        |                       | m = 0<br>M = 10<br>n = 5<br>c = 2                                    |
|                        | Milk powders          | Absent in 0.1 g  |
|                        | Other Dairy Products. | Less than 200/g  |
|                        | Plate Count           | Pasteurised Milk.  |
|                        |                       | Ice cream  |
|                        |                       | Milk Powders   |
|                        |                       | Less than 30,000/ml.<br>Less than 2,50,000/ml<br>Less than 40,000/g. |

These guidelines should help producers in ensuring proper operation of their establishments and in implementing the system and the procedure for carrying out their own check on their production.

Where;

n=number of sample units comprising the sample;

m=threshold value for the number of bacteria; the result is considered satisfactory if the number of bacterial in all sample units does not exceed 'm';

M=Maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more sample units is 'M' or more;

c=number of sample units where the bacteria count may be between 'm' and 'M' the same being considered acceptable if the bacterial count of the other sample units is 'm' or less.

**4. WRAPPING AND PACKAGING**

(i) Wrapping and packaging must take place under satisfactory hygiene conditions in rooms provided for that purpose.

(ii) Bottling, filling of containers with liquid milk products and sealing of containers and of packaging must be carried out automatically.

(iii) Wrapping or packaging may not be reused for the products with the exception of certain types of containers which may be reused after thorough cleaning and disinfecting.

Sealing must be carried out in the treatment establishment in which the heat treatment has been carried out immediately after filling, by means of sealing devices which ensure that the milk is protected from any adverse effects of external origin on its characteristics. The sealing system must be so designed that once the container has been opened, the evidence that it has been opened remains clear and easy to check.

- (iv) The operator and manager of the establishment must ensure for control purposes, the following information is visibly and legibly displayed on the packaging of the milk products :

Milk Products made from pasteurized milk, the temperature at which the products must be stored.

- (v) Product manufacture and packaging operations may take place in the same room, notwithstanding point 1, subject to the following conditions :

- The room must be sufficiently large and so equipped that the hygiene of the operation is assured;
- The packaging material must have been brought to the treatment or processing establishment in a protective cover in which they were placed immediately after manufacture and which protects them from any damage during transport to the establishment and must have been stored there under hygiene conditions in a room intended for that purpose.
- The rooms for storing the packaging material must be free from dust and vermin and separated from rooms containing substances which might contaminate the products. Packaging material must not be placed directly on the floor;
- packaging material must be assembled under hygienic conditions before being brought into the room. A derogation from this requirement may be granted in the case of the automatic assembly of packaging, provided there is no risk of contamination of the products;
- packaging material must be brought into the room under hygienic conditions and used without delay. It may not be handled by staff handling unwrapped products;
- immediately after packaging, the products must be placed in the storage rooms provided for the purpose.

## 5. CONDITIONS GOVERNING HEALTH MARKING AND LABELLING

### A. Conditions governing health marking

- In case the importing country requires health certificate or health mark on the label, the same may be provided. Health marking must be carried out during or immediately after manufacture in the establishment, in an easily visible place. The mark shall be legible, indelible and its characters easily distinguishable. The health mark may be applied to the product or to the wrapping, if the product is individually wrapped, or to a label affixed to this wrapping. However, where a product is individually wrapped and packaged, it will suffice for the health mark to be applied to the packaging.
- Where products marked in accordance with point 1 are subsequently placed in a packaging, the health mark must also be applied to the packaging.
- (a) The health mark shall give the following particulars:
  - the name of the consigning country in capitals,
  - the approval number of the establishment
- (b) the health mark may be applied to the product, wrapping or packaging by an ink stamp or by

branding, or it may be printed on or applied to a label. In the case of products in hermetically-sealed containers, the mark must be indelibly applied either to the lid or to the container;

- (c) the health mark may also consist of an irremovable plate of resistant material complying with all the hygiene requirements and bearing the information specified in (a).

### B. Conditions governing labelling

The labelling for milk products must clearly show for inspection purposes :

- the nature of any heat treatment applied at the end of the manufacturing process;
- for milk products in which growth of micro-organisms can occur, the use by or minimum durability date along with storage condition.

## 6. STORAGE AND TRANSPORT REQUIREMENTS

- Products which cannot be stored at ambient temperature must be stored at the temperatures established by the manufacturer to ensure their durability. In particular, the maximum temperature at which pasteurized milk may be kept until it leaves the establishment and during transport must be 6°C. When stored under cooled conditions the storage temperatures must be registered and the cooling rate must be such that the product reaches the required temperature as quickly as possible.

- Tanks, cans and other containers which are used for the transport of pasteurized milk must comply with all the rules of hygiene and in particular the following:

— their inside surfaces and any other part which may come into contact with the milk must be made of SS 304 smooth material which is easy to wash, clean and disinfect, resists corrosion and does not transfer substances to the milk in such quantities as to endanger human health, impair the composition of the milk or adversely affect its sensory characteristics.

— they must be designed so that the milk can drain away completely; if they are fitted with taps, these must be easy to remove, dismantle, wash, clean and disinfect;

— they must be washed, cleaned and disinfected immediately after each use and as necessary before further use;

— they must be hermetically sealed before and during transport by means of a watertight sealing device.

- Vehicles and containers used for transporting pasteurized milk must be designed and equipped in such a way that the required temperature can be maintained throughout the period of transport.

- Vehicles used for transporting heat-treated drinking milk and milk in small containers or in churns must be in good condition. They may not be used to transport any other product or object likely to cause the milk to deteriorate. Their internal surfaces must be smooth and easy to wash, clean and disinfect. The interiors of vehicles intended for transporting milk must comply with all the rules of hygiene. Vehicles intended for the transport of heat-treated milk in small containers or churns must be so designed as to give the containers or churns adequate protection against all contamination and atmospheric influences and may not be used to transport animals.

- To that end, the competent authority must regularly check that the means of transport and loading conditions meet the hygienic requirements.

(vi) The products covered by this order must be dispatched in such a way that they are protected from anything liable to contaminate them or to cause them to deteriorate, having regard to the duration and conditions of transport and the means of transport employed.

#### ANNEXURE—D

#### 1. HEALTH CHECKS AND SUPERVISION OF PRODUCTION

(i) Establishments shall be subject to supervision by the competent authority, which must ensure that the requirements of this Order are met and in particular;

(a) check

(i) the cleanliness of the premises and equipment and staff hygiene;

(ii) the efficacy of the checks carried out by the establishment, notably by examining the results and taking samples;

(iii) the microbiological and hygienic conditions of the milk-based products;

(iv) the efficacy of the treatment of the milk-based products;

(v) the hermetically sealed containers by means of random sampling;

(vi) the appropriate health marking of the milk-based products whenever applicable;

(vii) storage and transport conditions;

(b) take any samples required for laboratory tests;

(c) make any other checks it considers necessary to ensure compliance with this Order.

(ii) The Competent Authority must have free access at all time to the cold stores and all working premises to check that these provisions are being strictly complied with.

[F. No. 6/1/2000-EI&EP]

P. K. DAS, Director

उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 27 नवम्बर, 2000

का.आ. 2721 :—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम 5 के उपविनियम (6) के अनुसरण के भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंस/लाइसेंसों का उनके आगे दर्शायी गई तारीख से रद्द कर दिया गया है :—

#### अनुसूची

| क्रम सं. | लाइसेंस संख्या | लाइसेंसधारी का नाम व पता   | लाइसेंस में दिए गए प्रक्रम/वस्तु संबंध भारतीय मानक सहित  | रद्द किए जाने की तिथि |
|----------|----------------|--|--|-----------------------|
| 1        | 2              | 3  | 4  | 5                     |
| 1.       | 0354944        | मै. सोमनी आयरन एंड स्टील्स लि.,<br>सोनिक उन्नाव  | आईएस 02830—सामान्य संरचना इस्पात में पुनर्वेल्ल के लिए कार्बन ढलवां इस्पात बिलेट इंगट, बिलेट, ब्लूम और स्लैब | 1999-09-30            |
| 2.       | 0355037        | मै. सोमनी आयरन एंड स्टील्स लि.,<br>सोनिक उन्नाव  | आईएस 06915—संरचना इस्पात के बेलन हेतु ढलवां बुलेट इंगट और सतत ढले ब्लेड                                      | 1999-09-30            |
| 3.       | 0433132        | मै. यू.पी. इंटू मेंटस लि.,<br>पोस्ट बाक्स नं. 153 ऐश बाग रोड,<br>लखनऊ                    | आईएस 00779—नानो के मोडर (घरेलू किस्म)  | 1999-08-15            |
| 4.       | 0659360        | मै. स्वरूप केमीकल्स<br>जी-31 से 35 यूपीएसआईडीसी इंड एरिया,<br>देवा रोड, चिन्हात,<br>लखनऊ | आईएस 00632—गामा (बीएचसी) लिडेन पायसनीय सांद्र  | 1999-12-15            |

| 1   | 2       | 3   | 4   | 5          |
|-----|---------|---|---|------------|
| 5.  | 1179553 | मै. शशि केबल्स लिमिटेड<br>ए-3, इंडिस्ट्रियल एस्टेट,<br>तालकटोरा लखनऊ                              | आईएस 00398 (भाग 2)—शिरोपरि<br>प्रेषण कार्यों के लिए एल्युमिनियम चालक<br>भाग 2 जस्तीकृत इस्पात प्रबलित<br>एल्युमिनियम चालक | 1999-10-15 |
| 6.  | 1204425 | मै. यूपी स्टेट सीमेंट कारपो. लि.,<br>यूनिट चुनार सीमेंट फैक्टरी<br>पी.ओ.—चुनार<br>मिर्जापुर       | आईएस 00455—पोर्टलैंड धातुमल सीमेंट  | 1999-08-15 |
| 7.  | 1204627 | मै. यूपी स्टेट सीमेंट कारपो. लि.,<br>चुर्क सोनभद्रा   | आईएस 00269—33 ग्रेड साधारण<br>पोर्टलैंड सीमेंट  | 1999-08-15 |
| 8.  | 2053132 | मै. अवतार स्पन पाइप्स<br>ए-3, इंड. एरिया, साइट नं. 1  | आईएस 00458—पूर्व ढलित कंक्रीट पाइप<br>(प्रबलन सहित और रहित)   | 1999-11-30 |
| 9.  | 2130023 | मै. रतन माइक्रोन्यूटिएंट्स प्रा.<br>समीप—कुण्डनगंज लखनऊ—राइबरेली रोड<br>राई बरेली                 | आईएस 08249—जिक सल्फेट हैप्टाहाईड्रेट<br>कृषि ग्रेड  | 1999-08-15 |
| 10. | 2298768 | मै. कान्हा वनस्पति लि.,<br>गांव गथोना पोस्ट—उझेनी<br>बदायूं                                       | आईएस 11352—5 किग्रा व 5 लीटर<br>के पैकों में वनस्पति की पैकिंग के लिए<br>नम्य पैकेज बन्दी सामग्रियां                      | 1999-10-31 |
| 11. | 2320331 | मै. गोयल कंटेनर्स प्रा. लि.,<br>गांव—कूडियावाला, काशीपुर<br>उधम सिंह नगर                          | आईएस 04985—पानी की आपूर्ति के लिए<br>गैरप्लास्टिक पीवीसी पाइप   | 1999-12-31 |
| 12. | 9005863 | मै. चन्द्रा इलैक्ट्रोमग प्रा. लि.,<br>18 मोनेको इंडस्ट्रियल एस्टेट,<br>तेलियार गंज,<br>इलाहाबाद   | आईएस 04800 (भाग 5)—इन्तैमल किये<br>गोल वाईडिंग तार  | 1999-12-1  |
| 13. | 9032765 | मै. एलायड इंडस्ट्रियल ट्रेडर्स<br>68/2-बी, वजीर हसन रोड,<br>लखनऊ                                  | आईएस 05135 (भाग 02)—हस्तचालित<br>भुरकाव यंत्र भाग 2 कंधे पर रखा जाने<br>वाला  | 1999-11-15 |
| 14. | 9033969 | मै. ध्रुव इंडस्ट्रियल कं. प्रा.<br>बी-20 यूपीएसआईडीसी इंडस्ट्रियल एरिया,<br>भरुआ सुमेरपुर हमीरपुर | आईएस 00269—33 ग्रेड साधारण पोर्ट-<br>लैंड सीमेंट  | 1999-11-30 |
| 15. | 9040259 | मै. परशुराम सीमेंट्स लि.,<br>6 मील पत्थर परशुराम पुरम<br>नद्राजेतहता                              | आईएस 00269—33 ग्रेड साधारण पोर्ट-<br>लैंड सीमेंट  | 1999-01-31 |
| 16. | 9056880 | मै. कृष्णा कार्बन पेपर कं.<br>एलआरपी रोड,<br>लखीमपुर खेरी   | आईएस 03450—कार्बन पेपर—हाथ से<br>लिखने के लिए   | 1999-07-15 |
| 17. | 9057175 | मै. कृष्णा कार्बन पेपर कं.<br>एलआरपी रोड,<br>लखीमपुर खेरी   | आईएस 01551—टाइपराइटर्स के लिए<br>कार्बन पेपर  | 1999-07-15 |

| 1   | 2       | 3  | 4  | 5          |
|-----|---------|--|--|------------|
| 18. | 9061873 | मै. यू.पी. इन्स्ट्रुमेंट्स लि.,<br>पोस्ट बाक्स नं. 153,<br>ऐश बाग रोड<br>लखनऊ                      | आईएस 09301--गहराई से पानी निकासने के हथियार  | 1999-08-15 |
| 19. | 9068584 | मै. मुरादाबाद दूध उत्पादक<br>पी.ओ. अक्का देलारी बलपनपुर<br>मुरादाबाद                               | आईएस 01547--शिशु दुग्ध आहार  | 1999-10-31 |
| 20. | 9096488 | मै. जूनसुनवाला वनस्पति लि.,<br>नौपुर पी.ओ. थांगडंडी<br>तहसील केरना<br>जौनपुर                       | आईएस 10633--वनस्पति  | 1999-10-31 |
| 21. | 9103055 | मै. भगवान वनस्पति मिल्स लि.,<br>बदायूं रोड, उझानी,<br>बदायूं                                       | आईएस 10633--वनस्पति  | 1999-12-15 |
| 22. | 9107568 | मै. एल्फा कास्टिंग्स प्रा. लि.,<br>बी-2, इंडस्ट्रियल एरिया, फेज 1 और ई,<br>जालौन                   | आई एस 02830--सामान्य संरचना इस्पात में पुनर्वेलन के लिए कार्बन डलवां इस्पात ब्रिजेट इंगट, ब्रिजेट ब्लूम और स्लैब | 1999-02-15 |
| 23. | 9112965 | मै. एल्फा स्प्रिंग्स लिमिटेड<br>बी-3, इंडस्ट्रियल एरिया, फेज 1<br>और ई जालौन                       | आईएस 01786--कंक्रीट प्रबलन के लिए उच्च सामर्थ्य विस्थापित इस्पात के सर्पिल और तार                                | 1999-04-15 |
| 24. | 9113462 | मै. ध्रुव इंडस्ट्रियल कॉ. प्रा.<br>बी-20, यूपीएसआईडोसी इंडस्ट्रियल एरिया,<br>भरुआ मुमेरपुर हमीरपुर | आईएस 01489--पोर्टलैंड धातुमल सीमेंट  | 1999-04-30 |
| 25. | 9114565 | मै. भीम सीमेंट्स लि.,<br>बिजनोर हरिद्वार रोड,<br>बिजनोर  | आईएस 08112--43 ग्रेड साधारण पोर्टलैंड सीमेंट   | 1999-06-30 |
| 26. | 9114666 | मै. अरिहंत एगो इंडस्ट्रीज<br>2, सिविल लाइन्स,<br>ललितपुर   | आईएस 09020--पावर शेयर की सुरक्षा अपेक्षाएं   | 1999-05-31 |
| 27. | 9120560 | मै. भगवान वनस्पति मिल्स लि.,<br>बदायूं रोड,<br>उझानी बदायूं  | आईएस 11352--5 किग्रा. और 5 लीटर के पैकों में वनस्पति की पैकिंग के लिए नम्य पैकेजबंदी सामग्री                     | 1999-09-15 |
| 28. | 9123364 | मै. यू.पी. एस्वेस्टॉस लि.,<br>मोहनलाल गंज,<br>लखनऊ   | आईएस 01489 (भाग 01)--पोर्टलैंड पोजोलाना सीमेंट भाग 1 फ्लाईएश आधारित  | 1999-09-30 |
| 29. | 9123667 | मै. यूपी एस्वेस्टॉस लि.,<br>मोहन लाल गंज<br>लखनऊ   | आईएस 00455--पोर्टलैंड धातुमल सीमेंट  | 1999-09-30 |
| 30. | 9124871 | मै. पुष्कर पेट इंडस्ट्रीज,<br>19 वां किमी. स्टोन राइवगेली रोड<br>मोहन लाल गंज<br>लखनऊ              | आईएस 05410--सीमेंट रंग रोगन  | 1999-10-31 |

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| 31. | 9126067 | मै. एक्सेल प्लास्टिक्स<br>डी-4, इंडस्ट्रियल एरिया,<br>तालकटोरा, लखनऊ   | आईएस 10124—पेयजल आपूर्ति हेतु<br>सीवरोचित पीवीसी फिटिंग  | 1999-10-31 |
| 32. | 9128071 | मै. सीतापुर प्लाईवुड मैनुफैक्चर<br>सीतापुर कैंट, लखनऊ रोड,<br>सीतापुर  | आईएस 02202 (भाग 1)—लकड़ी के<br>सपाट दरवाजे के शटर (टोस कोर प्रकार)<br>भाग 1 प्लाईवुड सतहयुक्त पल्ले  | 1999-11-15 |
| 33. | 9129073 | मै. वाम आर्गेनिक केमिकल्स लि.,<br>भारतीयग्राम 244223<br>मुरादाबाद  | आईएस 02645—जल सह कार्य यौगिक   | 1999-11-15 |
| 34. | 9154880 | मै. हंस मेटल्स प्रा. लि.,<br>ई-12, 13, इंडस्ट्रियल एरिया,<br>भल्लूआ सुमेरपुर हमीरपुर                                 | आईएस 02062—सामान्य संरचना इस्पात   | 1999-08-15 |
| 35. | 9158484 | मै. जे. बी. वधवा एंड संस लि.,<br>कुरहा केशवपुर दर्शन नगर<br>फैजाबाद  | आईएस 00455—पोर्टलैंड धातुमल सीमेंट   | 1999-09-30 |
| 36. | 9162071 | मै. बी के सीमेंट लिमिटेड<br>गांव—बहार लखनऊ रोड,<br>हरदोई   | आईएस 00455—पोर्टलैंड धातुमल सीमेंट   | 1999-10-31 |
| 37. | 9163679 | मै. विजय लक्ष्मी सीमेंट्स<br>सी 15-16, इंडस्ट्रियल एस्टेट<br>कलक्टर बक गंज<br>बरेली                                  | आईएस 00269—33 ग्रेड साधारण पोर्टलैंड   | 1999-11-30 |
| 38. | 9163982 | मै. इंडस्ट्रियल गैसेस लि.,<br>148, तालकटोरा रोड,<br>लखनऊ   | आईएस 08471 (भाग 02)—एमीटिलीन<br>जनित्रों सम्बन्धी अपेक्षाएं भाग 2 अल्पदाव,<br>सुवाहा जल से जल टाइप   | 1999-01-31 |
| 39. | 9166281 | मै. भारत पम्प्स एंड कंप्रेसर्स<br>नैनी इलाहाबाद  | आईएस 03196 (भाग 02)—अल्पदाव<br>द्रवित गैसों के लिए 5-लीटर से अधिक<br>जलक्षमता वाले वेल्डित अल्प कार्बन<br>इस्पात सिलिंडर<br>भाग 2 एलपीजी सिलिंडरों के अलावा<br>अन्य द्रवणीय गैसों के लिए सिलिंडर | 1999-02-18 |
| 40. | 9174482 | मै. श्री बजरंग सीमेंट (प्रा) लि.,<br>केसरपुर फरीदपुर रोड,<br>बरेली   | आईएस 00269—33 ग्रेड साधारण पोर्टलैंड<br>सीमेंट   | 1999-05-07 |
| 41. | 9176082 | मै. बीपीडी प्लास्टिक्स (प्रा) लि.<br>डी-4, 5 जगदीशपुर इंडस्ट्रियल एरिया<br>सेक्टर 4, रोड नं. 1,<br>जगदीशपुर राइबरेली | आईएस 10124 (भाग 02)—पेयजल<br>आपूर्ति के लिए सीवरोचित पीवीसी फिटिंग<br>भाग 2 सर्किट हेतु विशिष्ट अपेक्षाएं  | 1999-05-13 |
| 42. | 9183483 | मै. स्वराज एग्रो ऑयल लि.<br>प्लॉट नं. 573, गांव दुपहरिया<br>नहर्ताल—फिछा<br>यू. एस. नगर                              | आईएस 10633—वनस्पति   | 1999-04-15 |

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| 43. | 9187289 | मै. मारवा सीमेंट इंडस्ट्रीज (प्रा.),<br>प्लॉट नं. 11/14, सेक्टर 21,<br>इंडस्ट्रियल एरिया, सुलतानपुर,<br>जगदीशपुर | आईएस 00455—पोर्टलैंड धातुमल सीमेंट   | 1999-09-22 |
| 44. | 9194084 | मै. वीपीडी प्लास्टिक्स प्राइवेट लिमिटेड,<br>बी-1 से बी-4 बछारवन इंडस्ट्रियल एस्टेट<br>राईबरेली                   | आईएस 10124 (भाग 2)—पेयजल<br>आपूर्ति हेतु सीवरोचित पीवीसी फिटिंग<br>भाग 2 सकिट हेतु विशिष्ट अपेक्षाएं                     | 1999-11-30 |
| 45. | 0608646 | मै. मॉडर्न लेमिनेटर्स,<br>सी-4, इंड. एरिया, गोरखपुर  | आईएस 07406 (भाग 01) —उर्वरक<br>पैकिंग के लिए पटसन के कट्टे   | 2000-05-15 |
| 46. | 1148239 | मै. हिन्दुस्तान सेपटी ग्लास वर्क्स,<br>जी. टी. रोड, बमरौली इलाहाबाद  | आईएस 02553 (भाग 01) —-नुरभा<br>काँच भाग 1 सामान्य प्रयोजन  | 2000-01-15 |
| 47. | 1204728 | मै. यू पी स्टेट सीमेंट कारपो. लि.,<br>डालासीमेंट फेक्टरी, सोनभद्रा   | आईएस 00269—33 ग्रेड साधारण<br>पोर्टलैंड सीमेंट   | 2000-06-30 |
| 48. | 1334236 | मै. गुप्ता स्पन पाइप इंड.,<br>सिविल लाईंस प्रतापगढ़  | आईएस 00458—पूर्व क्लित कंक्रीट<br>पाइप (प्रबलन सहित और रहित)   | 2000-01-15 |
| 49. | 1643754 | मै. रणधीर रोलिंग मिल्स,<br>इंड. एस्टेट तालकटोरा रोड, लखनऊ  | आईएस 00226—संरचना इस्पात<br>(मानकग्रेड)  | 2000-01-15 |
| 50. | 1645859 | मै. वेटरटेक्स इंजीनियर्स,<br>करकट पुर लोहता वाराणसी  | आईएस 00458—पूर्व क्लित कंक्रीट<br>पाइप (प्रबलन सहित और रहित)   | 2000-01-15 |
| 51. | 1833759 | मै. मॉडर्न लेमिनेटर्स,<br>सी-4, इंड. एरिया, गोरखपुर  | आईएस 07406 (भाग 02)—उर्वरक<br>पैकिंग के लिए पटसन के कट्टे  | 2000-05-15 |
| 52. | 2008127 | मै. सोयाबिन एंड वनस्पति इंड.,<br>हल्द्वर (समीप हल्द्वानी) नैनीताल  | आईएस 11352—5 किग्रा. और 5<br>लीटर के पैको में वनस्पति की पैकिंग<br>के लिए नम्य पैकेजबन्दी सामग्री                        | 2000-07-31 |
| 53. | 2087250 | मै. ओसवाल फूड्स लि.,<br>7 ए से 13 ए इंड. एरिया, खैजला बडबस्ती  | आईएस 10633—वनस्पति   | 2000-01-15 |
| 54. | 2098558 | मै. शिवालिक फर्टिलाइजर्स एंड केमो.<br>भूरारानी रोड रुद्रपुर उधम सिंह नगर   | आईएस 08249—जिक सल्फेट हैप्टाहाईड्रेड<br>कृषि ग्रेड   | 2000-03-31 |
| 55. | 2197661 | मै. खान कंटेनर्स प्रा. लि.,<br>बी 1 और 2, इंडस्ट्रियल एरिया बस्ती  | आईएस 10325—चौकोर कनस्तर—15 किग्राम<br>घी, वनस्पति, खाद्य तेलों और बेकरी<br>मोयन हेतु                                     | 2000-02-15 |
| 56. | 2197762 | मै. आरएचएल प्रोफाइल्स लि.,<br>मगरवाडा, उन्नाव  | आईएस 02062—सामान्य संरचना<br>इस्पात  | 2000-02-15 |
| 57. | 2201525 | मै. यू पी स्टेट सीमेंट कारपो. लि.,<br>यूनिट चुनार सीमेंट फेक्टरी, पी. ओ.<br>चुनार, मिर्जापुर                     | आईएस 00269—33 ग्रेड साधारण<br>पोर्टलैंड सीमेंट   | 2000-02-29 |
| 58. | 2204935 | मै. अरयन पैकेजिंग इंडस्ट्रीज,<br>बी-6, इंडस्ट्रियल एरिया. खालिदाबाद<br>बस्ती                                     | आईएस 10325—चौकोर कनस्तर—15<br>किग्रा घी, वनस्पति, खाद्य तेलों और बेकरी<br>मोयन हेतु                                      | 2000-02-2  |
| 59. | 2209945 | मै. कामरूप इंड. गैस लि.<br>डीएलडब्ल्यू टाउनशीप वाराणसी   | आईएस 08471 (भाग 04)—एसीटीनोन<br>जनितों सम्बंधी अपेक्षाएं<br>भाग 4 मध्यम दाब—अचल जल से<br>कार्बाइड और कार्बाइड से जल टाइप | 2000-02-29 |



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| 60. | 2210324 | मै. कान्हा वनस्पति लि.,<br>गांव गठोना पोस्ट उझानी बदायूं  | आईएस 10633—वनस्पति  | 2000-02-29 |
| 61. | 2320129 | मै. जगदीशपुर सीमेंट इंड. (प्रा) लि.,<br>सी—1, सेक्टर 22, जगदीशपुर इंड. एस्टेट,<br>जगदीशपुर सुलतानपुर                    | आईएस 00269—33 ग्रेड साधारण<br>पोर्टलैंड सीमेंट  | 2000-01-15 |
| 62. | 2326141 | मै. आंसवाल फूड्स लि.,<br>7 एंसे 14 ए इंड. एरिया,<br>खलिलाबाद बस्ती  | आईएस 11352—5 किग्रा. एवं 5 लिटर<br>के पैकों में वनस्पति की पैकिंग के लिए<br>नम्य पैकेजबंदी सामग्रियां | 2000-01-15 |
| 63. | 2337752 | मै. हिन्दुस्तान सेपटी ग्लास वर्क्स<br>जी. टी. रोड, बमरोली, इलाहाबाद   | आईएस 03438—सामान्य प्रयोजनों के<br>लिए रजलित कांच के दर्पण  | 2000-01-15 |
| 64. | 9055474 | मै. मुरादाबाद दूध उत्पादक<br>पी. ओ. अक्का, देलारी दलपतपुर<br>मुरादाबाद  | आईएस 13334 (भाग 02)—मलाईयुक्त<br>दूध पाउडर भाग 2 अतिरिक्त ग्रेड                                       | 2000-02-15 |
| 65. | 9063675 | मै. के. सी. सीमेंट इंडस्ट्रीज लि.,<br>गांव फूलपुर मिठनपुर पोस्ट चजलेत<br>मुरादाबाद                                      | आईएस 00455—पोर्टलैंड धातुमल सीमेंट  | 2000-08-31 |
| 66. | 9071674 | मै. त्रिमूर्ति केमिकल्स<br>112—ए, बजला-बारहा इलाहाबाद   | आईएस 08249—जिक सल्फेट हैप्टाहा-<br>हाईड्रेट कृषि ग्रेड  | 2000-01-15 |
| 67. | 9083580 | मै. रतन वनस्पति लि.,<br>ए—8, यूपीएसआईडीसी इंडस्ट्रियल एरिया,<br>गजरौला, मुरादाबाद।                                      | आईएस 10633—वनस्पति  | 2000-04-30 |
| 68. | 9086182 | मै. डिनोल केमिकल वर्क्स,<br>डी-12/36, नीची ब्रह्मपुरी बांसकाटक<br>वाराणसी   | आईएस 01061—फिनोलिक टाइप कीट-<br>नाशक द्रव   | 2000-05-15 |
| 69. | 9088388 | मै. जे. के. डेयरी एंड फूड्स लिमिटेड<br>3 किमी स्टोन हसनपुर गजरौला मुरादाबाद   | आईएस 01165—दूध पाउडर  | 2000-06-30 |
| 70. | 9092985 | मै. राम प्रकाश एण्ड संस<br>329, आलमगिरि गंज, बरेली  | आईएस 10325—चौकोर कनस्तर—<br>15 किग्रा. घी, वनस्पति, खाद्य तेलों<br>और बेकरी मोयन हेतु                 | 2000-08-31 |
| 71. | 9100453 | मै. जे. के. डेयरी फूड्स लिमिटेड<br>3 किमी स्टोन, हसनपुर गजरौला,<br>मुरादाबाद  | आईएस 13334 (भाग 02)—मलाई<br>युक्त दूध पाउडर भाग 2 अतिरिक्त ग्रेड                                      | 2000-06-30 |
| 72. | 9105362 | मै. वीपीडी प्लास्टिक्स (प्रा) लि.,<br>डी 4—एवं 5, जगदीशपुर इंडस्ट्रियल एरिया,<br>सेक्टर 4, रोड नं. 1, जगदीशपुर राइबरेली | आईएस 04985—पेयजल आपूर्ति के लिए<br>गैरप्लास्टिकृत पीवीसी पाइप   | 2000-01-15 |
| 73. | 9107669 | मै. रतन वनस्पति लि.,<br>ए—8, यूपीएसआईडीसी इंडस्ट्रियल एरिया,<br>गजरौला मुरादाबाद  | आईएस 11352—5 किग्रा व 5 लिटर<br>के पैकों में वनस्पति की पैकिंग के<br>लिए नम्य पैकेजबंदी सामग्रियां    | 2000-02-29 |
| 74. | 9141669 | मै. पर्वत वायर्स<br>काठगोदाम नैनीताल  | आईएस 00278—बाड़ लगाने के लिए<br>जस्तीकृत इस्पात के कांटेदार तार                                       | 2000-03-15 |

| (1) | (2)     | (3)   | (4)  | (5)        |
|-----|---------|---|--|------------|
| 75. | 9143774 | मै. अग्रवाल केबल्स<br>मालगोदाम, रोड, फैजाबाद  | आईएस 00398 (भाग 02) — शिरोवर<br>प्रेषण कार्यों के लिए एल्युमीनियम चालक<br>भाग 2 जस्तीकृत इस्पात प्रचलित एल्युमी-<br>नियम के चालक | 2000-03-35 |
| 76. | 9155478 | मै. जिन्दल वेजिटेबल प्रोडक्ट्स<br>नारायण नगर बाजपुर रोड, काशीपुर<br>उधम सिंह नगर                | आईएस 10633—वनस्पति   | 2000-08-31 |
| 77. | 9165986 | मै. आलोक प्लास्टिक्स<br>4, इंडस्ट्रियल एस्टेट, इटावा  | आईएस 10840—वनस्पति की पैकिंग<br>के लिए ब्लोमोल्डकृत एच डी पी ई डिब्बे  | 2000-03-15 |
| 78. | 9170878 | मै. प्रणामी पेट्स (प्रा) लिमिटेड<br>जी—10, गवर्नमेंट इंड. एरिया,<br>यूपीएसआईडीसी देवा रोड, लखनऊ | आईएस 08541—फर्श और लकड़ी के<br>फर्निचर के लिए पॉलिश लेप  | 2000-03-15 |

[सं. सी एम डी/13 : 13]

बी. के. जैन, अपर महानिदेशक

## MINISTRY OF CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

## BUREAU OF INDIAN STANDARD

New Delhi, the 27th November, 2000

**S.O. 2721.**—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given below have been Cancelled with effect from the date indicated against each :

## SCHEDULE

| Sl. No. | Licence No. | Name and Address of the licence   | Article/process with relevant Indian Standard covered by the licence cancelled   | Date of Cancellation |
|---------|-------------|---|--|----------------------|
| 1       | 2           | 3   | 4  | 5                    |
| 1.      | 0354944     | M/s. Somani Iron & Steels Ltd.,<br>Sonjunnao.   | IS 02330 — Carbon steel cast billets ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes.                          | 1999-09-30           |
| 2.      | 0355037     | M/s. Somani Iron & Steels Ltd.,<br>Sonjunnao.   | IS 06915 — Cast billet ingots and<br>Continuously cast billets for rolling intra-<br>structural steel (ordinary quality).                                  | 1999-09-30           |
| 3.      | 0433132     | M/s. U.P. Instruments Ltd.,<br>Post Box No. 153, Aish Bagh Road,<br>Lucknow.                      | IS 00779 — Water meters (domestic<br>type).  | 1999-08-15           |
| 4.      | 0659360     | M/s. Swarup Chemicals,<br>G-31 to 35, UPSIDC Industrial<br>Area, Deva Road, Chinhath,<br>Lucknow. | IS 00632 — Gamma — BHC (Lindane)<br>emulsifiable concentrates.   | 1999-12-15           |
| 5.      | 1179553     | M/s. Shashi Cables Limited,<br>A-3, Industrial Estate, Talkatora,<br>Lucknow.                     | IS 00398 (Part 02) — Aluminium con-<br>ductors for overhead transmission<br>purposes :<br>Part 2 Aluminium conductors, galva-<br>nised steel — reinforced. | 1999-10-15           |

| 1   | 2       | 3   | 4  | 5          |
|-----|---------|---|--|------------|
| 6.  | 1204425 | M/s. U.P. State Cement Corpn. Ltd.,<br>Unit Chunar Cement Factory,<br>P.O. Chunar, Mirzapur.        | IS 00455 — Portland slag cement.   | 1999-08-15 |
| 7.  | 1204627 | M/s. U.P. State Cement Corpn. Ltd.,<br>Churk, Sonbhadra.  | IS 00269 — 33 grade ordinary portland cement.  | 1999-08-15 |
| 8.  | 2053132 | M/s. Avtar Spun Pipes,<br>A-3, Indl. Area, Site No. 1,<br>Sultanpur Road, Rae Bareilly.             | IS 00458 — Precast concrete pipes<br>(with and without reinforcement).   | 1999-11-30 |
| 9.  | 2130023 | M/s. Ratan Micro nutrients Pvt.,<br>Near Kundanganj,<br>Lucknow-Rae Bareilly Road,<br>Rae Bareilly. | IS 08249 — Zinc sulphate, heptahydrate,<br>agricultural grade.   | 1999-08-15 |
| 10. | 2298768 | M/s. Kanha Vanaspati Ltd.,<br>Village Gathona,<br>Post Ujhanibadayun.                               | IS 11352 — Flexible pouches for the<br>packing of Vanaspati up to 5 kg or<br>5 litres.   | 1999-10-31 |
| 11. | 2320331 | M/s. Goel Containers Pvt. Ltd.,<br>Village Kundiawalla, Kashipur,<br>Udham Singh Nagar.             | IS 04985 — Unplasticised PVC pipes for<br>potable water supplies.  | 1999-12-31 |
| 12. | 9005863 | M/s. Chandra Electromag Pvt. Ltd.,<br>18, Monerco Industrial Estate,<br>Teliar Ganj, Allahabad.     | IS 04800 (Part 05) — Enamelled round<br>winding wires :<br>Part 5 Wires for elevated temperatures.   | 1999-12-15 |
| 13. | 9032765 | M/s. Allied Industrial Traders,<br>68/2 B. Wazir Hasan Road,<br>Lucknow.                            | IS 05135 (Part 02) — Hand rotary<br>duster :<br>Part 2 Shoulder mounted type.  | 1999-11-15 |
| 14. | 9033969 | M/s. Dhruv Industrial Co. Pvt.,<br>B-20, UPSIDC Industrial Area,<br>Bharua Sumerpur, Hamirpur.      | IS 00269 — 33 grade ordinary portland<br>cement.   | 1999-11-30 |
| 15. | 9040259 | M/s. Parashuram Cements Ltd.,<br>6 Mile Stone, Parshuram Purani,<br>Nadrajetheta.                   | IS 00269 — 33 grade ordinary portland<br>cement.   | 1999-01-31 |
| 16. | 9056880 | M/s. Krishna Carbon Paper Co.,<br>LRP Road, Lakhimpur Kheri.  | IS 03450 — Carbon papers, handwriting.   | 1999-07-15 |
| 17. | 9057175 | M/s. Krishna Carbon Paper Co.,<br>LRP Road, Lakhimpur Kheri.  | IS 01551 — Carbon papers—typewriter.   | 1999-07-15 |
| 18. | 9061873 | M/s. U.P. Instruments Ltd.,<br>Post Box No. 153, Aish Bagh Road,<br>Lucknow.                        | IS 09301 — Deepwell hand pumps.  | 1999-08-15 |
| 19. | 9068584 | M/s. Moradabad Dugdh Utpadak<br>P.O. Akka, Delari Dalpatpur,<br>Moradabad.                          | IS 01547 — Infant milk food.   | 1999-10-31 |
| 20. | 9096488 | M/s. Jhunjhunwala Vanaspati Ltd.,<br>Naupur, P.O. Thanagaddi,<br>Tehsil Kerakatjaunpur.             | IS 10633 — Vanaspati.  | 1999-10-31 |
| 21. | 9103055 | M/s. Bhagwan Vanaspati Mills Ltd.,<br>Budaun Road, Ujhani,<br>Budaunbadayun.                        | IS 10633 — Vanaspati.  | 1999-12-15 |
| 22. | 9107568 | M/s. Alfa Castings Pvt. Ltd.,<br>B-2, Industrial Area Phase-I,<br>Orai, Jalaun.                     | IS 02830 — Carbon steel cast billets<br>ingots, billets, blooms and slabs for<br>re-rolling into steel for general struc-<br>tural purposes. | 1999-02-15 |

| 1   | 2       | 3   | 4  | 5          |
|-----|---------|---|--|------------|
| 23. | 9112965 | M/s. Alfa Springs Limited,<br>B-3, Industrial Area Phase I,<br>Orai, Jalaun.                    | IS 01786 — High strength deformed<br>steel bars and wires for concrete<br>reinforcement.                                     | 1999-04-15 |
| 24. | 9113462 | M/s. Dhruv Industrial Co. Pvt.,<br>B-20, UPSIDC Industrial Area,<br>Bharua, Sumerpur, Hamirpur. | IS 01489 — Portland pozzolana cement.  | 1999-04-30 |
| 25. | 9114565 | M/s. Bheem Cements Ltd.,<br>Bijnor Haridwar Road, Bijnor.                                       | IS 08112 — 43 grade ordinary portland<br>cement.   | 1999-06-30 |
| 26. | 9114666 | M/s. Arihant Agro Industries,<br>2, Civil Lines, Lalitpur.                                      | IS 09020 — Safety requirements for<br>power thershers.   | 1999-05-31 |
| 27. | 9120560 | M/s. Bhagwan Vanaspati Mills Ltd.,<br>Budaun Road, Ujhani,<br>Budaunbadkayun.                   | IS 11352 — Flexible pouches for the<br>packing of Vanaspati upto 5 kg or<br>5 litres.  | 1999-09-15 |
| 28. | 9123364 | M/s. U.P. Asbestos Ltd.,<br>Mohan Lal Ganj, Lucknow.  | IS 01480 (Part 01) — Portland pozzolana<br>cement :<br>Part 1 Flyash based.  | 1999-09-30 |
| 29. | 9123667 | M/s. U.P. Asbestos Ltd.,<br>Mohan Lal Ganj, Lucknow.  | IS 00455 — Portland slag cement.   | 1999-09-30 |
| 30. | 9124871 | M/s. Pushkar Paint Industries,<br>10th Km Stone, Raebareilly Road,<br>Mohan Lal Ganj, Lucknow.  | IS 05410 — Cement paint.   | 1999-10-31 |
| 31. | 9126067 | M/s. Excel Plastics,<br>D-4, Industrial Area, Talkatora,<br>Lucknow.                            | IS 10124 — Fabricated PVC fittings for<br>potable water supplies.  | 1999-10-31 |
| 32. | 9128071 | M/s. Sitapur Plywood Manufactur,<br>Sitapur Cantt., Lucknow Road,<br>Sitapur.                   | IS 02202 (Part 01)—Wooden flush door<br>shutters (solid core type) :<br>Part 1 Plywood face panels.                          | 1999-11-15 |
| 33. | 9129073 | M/s. Vam Organic Chemicals Ltd.,<br>Bhartiagram—244 223,<br>Moradabad.                          | IS 02645 — Integral cement water-<br>proofing compounds.   | 1999-11-15 |
| 34. | 9154880 | M/s. Hans Metals Pvt. Ltd.,<br>E-12, 13, Industrial Area, Bharua,<br>Sumerpur, Hamirpur.        | IS 02062 — Steel for general structural<br>purposes.   | 1999-08-15 |
| 35. | 9158484 | M/s. J.B. Wadhawa & Sons Ltd.,<br>Kurha Keshav Purdarshan Nagar,<br>Faizabad.                   | IS 00455 — Portland slag cement.   | 1999-09-30 |
| 36. | 9162071 | M/s. Bee Kay Cement Limited,<br>Village Bahar, Lucknow Road.<br>Hardoi.                         | IS 00455 — Portland slag cement.   | 1999-10-31 |
| 37. | 9163679 | M/s. Vijaya Laxmi Cements,<br>C-15/16, Industrial Estate,<br>Clutter Buck Ganj, Bareilly.       | IS 00260 — 33 grade ordinary portland<br>cement.   | 1999-11-30 |
| 38. | 9163082 | M/s. Industrial Gases Ltd.,<br>148, Talkatora Road, Lucknow.                                    | IS 08471 (Part 02) — Requirements for<br>acetylene generators :<br>Part 2 Low pressure, portable, of<br>water-to-water type. | 1999-01-01 |

| 1   | 2       | 3  | 4   | 5          |
|-----|---------|--|---|------------|
| 39. | 9166281 | M/s. Bharat Pumps & Compressors, Naini, Allahabad.   | IS 03196 (Part 02) — Welded low carbon steel cylinder exceeding 5 litre water capacity for low pressure liquefiable gases :<br>Part 2 Cylinders for liquefiable gases other than LPG. | 1999-02-18 |
| 40. | 9174482 | M/s. Shri Bajrang Cement (P) Ltd., Kesarpur, Faridpur Road, Bareilly.  | IS 00269 — 33 grade ordinary portland cement.   | 1999-05-07 |
| 41. | 9176082 | M/s. VPD Plastics (P) Ltd., UNIT D-4 & 5, Jagdishpur Industrial Area, Sector IV, Road No. 1, Jagdishpur, Rae Bareli. | IS 10124 (Part 02) — Fabricated PVC fittings for potable water supplies :<br>Part 2 Specific requirements for sockets.  | 1999-05-13 |
| 42. | 9183483 | M/s. Swaraj Agroils Ltd., Plot No. 573, Vill. Dupahariya, Tehsil Kichha, U.S. Nagar, S. Nagar.                       | IS 10633— Vanaspati.  | 1999-04-15 |
| 43. | 9187289 | M/s. Marwa Cement Industries (P) Plot No. 11/14, Sector 21, Industrial Area, Sultanpur, Jagdishpur.                  | IS 00455 — Portland. slag cement  | 1999-09-22 |
| 44. | 9194084 | M/s. VPD Plastics Private Limited, B-1 to B-4, Bachharawan Industrial Estate, Rae Bareli.                            | IS 10124 (Part 02) — Fabricated PVC fittings for potable water supplies :<br>Part 2 Specific requirements for sockets.  | 1999-11-30 |
| 45. | 9608646 | M/s. Modern Laminators, C-4, Indl. Area, Gorakhpur.  | IS 07406 (Part 01) — Jute bags for packing fertilizers :<br>Part 1 Laminated bags manufactured from 407 g/sq. m<br>85 × 39 tarpaulin fabric.  | 2000-05-15 |
| 46. | 1148239 | M/s. Hindustan Safety Glass Works, G.T. Road, Bamrauli, Allahabad.   | IS 02553 (Part 01) — Safety Glass :<br>Part 1 General purpose.  | 2000-01-15 |
| 47. | 1204728 | M/s. U.P. State Cement Corpn. Ltd., Dalla Cement Factory, Dallasone, Bhadra.   | IS 00269 — 33 grade ordinary portland cement.   | 2000-06-30 |
| 48. | 1334236 | M/s. Gupta Spun Pipe Inds., Civil Lines, Pratapgarh.   | IS 00458 — Precast concrete pipes (with and without reinforcement).   | 2000-01-15 |
| 49. | 1643754 | M/s. Randhir Rolling Mills, Indl. Estate, Talkatora Road, Lucknow.   | IS 00226 — Structural steel (standard quality).   | 2000-01-15 |
| 50. | 1645859 | M/s. Vertex Engineers, Karakat Purohita, Varanasi.   | IS 00458 — Precast concrete pipes (with and without reinforcement).   | 200-01-15  |
| 51. | 1833759 | M/s. Modern Laminators, C-4, Indl. Area, Gorakhpur.  | IS 07406 (Part 02) — Jute bags for packing fertilizers :<br>Part 2 Laminated bags manufactured from 380 g/sq.m 68 × 39 tarpaulin fabric.  | 2000-05-15 |
| 52. | 2008127 | M/s. Soyabeen & Vanaspati Indus., Halduchur (Near Haldwani), Nainital.   | IS 11352 — Flexible pouches for the packing of Vanaspati upto 5 kg or 5 litres.   | 2000-07-31 |

| 1   | 2       | 3  | 4  | 5          |
|-----|---------|--|--|------------|
| 53. | 2087250 | M/s. Oswal Foods Ltd.,<br>7-A to 13-A, Indl. Area, Khalila,<br>bad Basti.                                  | IS 10633 — Vanaspati.  | 2000-01-15 |
| 54. | 2098558 | M/s. Shivalik Fertilizers & Chem.,<br>Bhurarani Road, Rudrapur,<br>Udham Singh Nagar.                      | IS 08249 — Zinc sulphate, heptahydrate,<br>agricultural grade.   | 2000-03-31 |
| 55. | 2197661 | M/s. Khan Containers Pvt. Ltd.,<br>B 1 & 2, Industrial Area, Basti.  | IS 10325 — Square tins—15 kg for ghee,<br>Vanaspati edible oils and bakery<br>shortenings.   | 2000-02-15 |
| 56. | 2197762 | M/s. RHI Profiles Ltd.,<br>Magarwara, Unnao.   | IS 02062 — Steel for general structural<br>purposes.   | 2000-02-15 |
| 57. | 2201525 | M/s. U.P. State Cement Corpn. Ltd.,<br>Unit Chunar Cement Factory,<br>P.O. Chunar, Mirzapur.               | IS 00269 — 33 grade ordinary portland<br>cement.   | 2000-02-29 |
| 58. | 2204935 | M/s. Aryan Packaging Industries,<br>B-6, Industrial Area, Khalilabad,<br>Basti.                            | IS 10325 — Square tins—15 kg for ghee,<br>Vanaspati edible oils and bakery<br>shortenings.   | 2000-02-29 |
| 59. | 2209945 | M/s. Kamrup Indl. Gases Ltd.,<br>DLW Township, Varanasi.   | IS 08471 (Part 04) — Requirements for<br>acetylene generators :<br>Part 4 Medium pressure stationary, of<br>water-to-carbide and carbide-to-water<br>type. | 2000-02-28 |
| 60. | 2210324 | M/s. Kanha Vanaspati Ltd.,<br>Village Gathona,<br>Post Ujhanibadayun.                                      | IS 10633 — Vanaspati.  | 2000-02-29 |
| 61. | 2320129 | M/s. Jagdishpur Cement Inds. (P),<br>C-1, Sector 22, Jagdishpur Indl.<br>Estate, Jagdishpur,<br>Sultanpur. | IS 00269 — 33 grade ordinary portland<br>cement.   | 2000-01-15 |
| 62. | 2326141 | M/s. Oswal Foods Ltd.,<br>7-A to 13-A, Indl. Area,<br>Khalilabad, Basti.                                   | IS 11352 — Flexible pouches for the<br>packing of Vanaspati up to 5 kg or<br>5 litres.   | 2000-01-15 |
| 63. | 2337752 | M/s. Hindustan Safety Glass Works,<br>G.T. Road, Bamrauli,<br>Allahabad.                                   | IS 03438 — Silvered glass mirrors for<br>general purposes.   | 2000-01-15 |
| 64. | 9055474 | M/s. Moradabad Dugdh Utpadak<br>P.O. Akka, Delari Dalpatpur,<br>Moradabad.                                 | IS 13334 (Part 02) — Skim milk powder :<br>Part 2 Extra grade.   | 2000-02-15 |
| 65. | 9063675 | M/s. K.C. Cement Industries Ltd.,<br>Village Phoolpur Mithanpur,<br>Post Chajlet, Moradabad.               | IS 00455 — Portland slag cement.   | 2000-08-31 |
| 66. | 9071674 | M/s. Trimurti Chemicals,<br>112-A, Baika-Barha, Allahabad.   | IS 08249 — Zinc sulphate, heptahydrate,<br>agricultural grade.   | 2000-01-15 |
| 67. | 9083580 | M/s. Ratan Vanaspati Ltd.,<br>A-8, UPSIDC Industrial Area,<br>Gajraula, Moradabad.                         | IS 10633 — Vanaspati.  | 2000-04-30 |
| 68. | 9086182 | M/s. Dinol Chemical Works,<br>D-12/36, Nichi Bramhpuri,<br>Bansphatak, Varanasi.                           | IS 01061 — Disinfectant fluids, phenolic<br>type.  | 2000-05-15 |

| 1   | 2       | 3   | 4  | 5          |
|-----|---------|---|--|------------|
| 69. | 9088388 | M/s. J.K. Dairy & Foods Limited,<br>3 Km Stone, Hasanpur, Gajraula,<br>Moradabad.   | IS 01165 — Milkpowder.   | 2000-05-30 |
| 70. | 9092985 | M/s. Ram Prakash & Sons,<br>329, Alamgiri Ganj, Bareilly.   | IS 10325 — Square tins—15 kg for ghee,<br>Vanaspatti edible oils and bakery<br>shortenings.  | 2000-08-31 |
| 71. | 9100453 | M/s. J.K. Dairy & Foods Limited,<br>3 Km. Stone, Hasanpur, Gajraula,<br>Moradabad.  | IS 13334 (Part 02) — Skim milk powder :<br>Part 2 Extra grade.   | 2000-06-30 |
| 72. | 9105362 | M/s. VPD Plastics (P) Ltd., Unit<br>D-4 & 5, Jagdishpur Industrial Area,<br>Sector IV, Road No. 1,<br>Jagdishpur, Rae Bareilly. | IS 04985 — Unplasticised PVC pipes<br>for potable water supplies.  | 2000-01-15 |
| 73. | 9107669 | M/s. Ratan Vanaspathi Ltd.,<br>A-8, UPSIDC Industrial Area,<br>Gajraula, Moradabad.   | IS 11352 — Flexible pouches for the<br>packing of Vanaspathi up to 5 kg or<br>5 litres.  | 2000-02-29 |
| 74. | 9141669 | M/s. Parvat Wires.,<br>Kathgodam, Nainital.   | IS 00278 — Galvanized steel barbed wire<br>for fencing.  | 2000-03-15 |
| 75. | 9143774 | M/s. Agarwal Cables,<br>Malgodown Road, Faizabad.   | IS 00398 (Part 02) — Aluminium con-<br>ductors for overhead transmission<br>purposes :<br>Part 2 Aluminium conductors, galva-<br>nized steel — reinforced. | 2000-03-15 |
| 76. | 9155478 | M/s. Jindal Vegetable Products,<br>Narain Nagarbazpur Road,<br>Kashipur, Udham Singh Nagar.                                     | IS 10633 — Vanaspathi.   | 2000-03-31 |
| 77. | 9165986 | M/s. Alik Plastics,<br>4, Industrial Estate, Etahetah.  | IS 10840 — Blow moulded HDPE con-<br>tainers for packing of Vanaspathi.  | 2000-02-15 |
| 78. | 9170878 | M/s. Pranami Paints (P) Limited,<br>G-10, Government Indl. Area,<br>UPSIDC, Deva Road, Lucknow.                                 | IS 08541 — Polish, paste, for floor<br>polish and wooden furniture.  | 2000-03-15 |

[No. CMD/13 : 13]

V. K. JAIN, Addl. Director General

नई दिल्ली, 30 नवम्बर, 2000

का. आ. 2722.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनु-सरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस/जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं:—

## अनुसूची

| क्रम सं. | स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक   | नये भारतीय मानक संख्या अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष | स्थापित तिथि |
|----------|--|---|--------------|
| (1)      | (2)  | (3)   | (4)          |
| 1.       | आईएस 193 : 2000—मृदु टांका—विशिष्ट (पांचवा पुनरीक्षण)  | आईएस 193 : 1982   | 2000-06-30   |
| 2.       | आईएस 1015 : 2000—वनस्पति से शोधित चमड़े से बनी पम्प बाल्टियां और सीट बाल्व-विशिष्ट (दूसरा पुनरीक्षण) | आईएस 1015 : 1987  | 2000-10-31   |

| (1)   | (2)                        | (3) | (5)        |
|---|----------------------------|-----|------------|
| 3. आईएस 1586 : 2000—धातुओं की रॉकवेल कठोरता परीक्षण करने की पद्धति ( स्केल ए-बी-सी-डी-ई-एफ-जी-एच-के 15 एन, 30 एन, 45 एन, 15 टी, 30 टी, एवं 45 टी ) (तीसरा पुनरीक्षण )   | आईएस 1586 : 1988           |     | 2000-10-3  |
| 4. आईएस 1719 : 2000—औद्योगिक वस्त्रादि—संघीकृत ऊनी नमूने—विशिष्ट (चौथा पुनरीक्षण )  | आईएस 1719 : 1988           |     | 2000-10-31 |
| 5. आईएस 2197 : 2000—वायु आकाशीय वस्त्रादि—गुम्फित ( सलवट युक्त ) लिनन (सन) लेसिंग कोर्ड—विशिष्ट ( दूसरा पुनरीक्षण )   | आईएस 2197 : 1986           |     | 2000-10-31 |
| 6. आईएस 2283 : 2000—निकल सिल्वर की चादर, पत्ती एवं पन्नी—विशिष्ट (दूसरा पुनरीक्षण )   | आईएस 2283 : 1981           |     | 2000-08-31 |
| 7. आईएस 2500 (भाग 1 ) : 2000—राशि के अनुसार निरीक्षण के लिए नमूना लेने की प्रक्रिया भाग 1 लॉट प्रति लॉट निरीक्षण के लिए स्वी-कार्य गुणता सीमा ( ए. क्यू. एल. ) की सूची के अनुसार नमूने लेने की योजना (तीसरा पुनरीक्षण ) | आई एस 2500 (भाग 1 ) : 1992 |     | 2000-10-31 |
| 8. आईएस 3660 (भाग 10) : 2000—प्राकृतिक रबड़ की परीक्षण विधियां भाग 10 नाइट्रोजन अंश ज्ञात करना ( एन. आर : 2 ) (पहला पुनरीक्षण )   | —                          |     | 2000-10-31 |
| 9. आईएस 3807 : 2000—ईएनटी शतय चिकित्सा उपकरण—चिमटी, ड्रैसिंग, कर्णज एवं नासीय—विशिष्ट (पहला पुनरीक्षण )   | आईएस 3807 : 1966           |     | 2000-09-30 |
| 10. आईएस 4487 : 2000—ईएनटी शतय चिकित्सा उपकरण—चिमटी, टांसिल आर्टरी ( बिरकेट टनी )—विशिष्ट (पहला पुनरीक्षण )   | आईएस 4487 : 1968           |     | 2000-10-31 |
| 11. आईएस 4544 : 2000—आमोनिया—सुरक्षा संहिता (पहला पुनरीक्षण )   | आईएस 4544 : 1968           |     | 2000-09-30 |
| 12. आईएस 4545 (भाग 12 ) : 2000—दूरदर्शन प्रसारण के लिए अभिग्रहियों पर अनुशंसित मापन पद्धतियां भाग 12 एनआईसीएएम दो चैनल वाली डिजिटल ध्वनि प्रणाली का उपयोग करते हुए बहु चैनल ध्वनि दूरदर्शन अभिग्रहियों पर विद्युत मापन  | —                          |     | 2000-09-30 |



| (1)  | (2)                      | (3) | (4)        |
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| 13. आईएस 4623 : 2000—भिज्य कपाटों के संरचनात्मक डिजाइन सम्बन्धी सिफारिशें (तीसरा पुनरीक्षण)                      | आईएस 4623 : 1984         |     | 2000-10-31 |
| 14. आईएस 4639 (भाग 1) : 2000—पेट्रोलियम उद्योग—शब्दावली भाग 1 कच्ची सामग्री और उत्पाद (पहला पुनरीक्षण)           | —                        |     | 2000-09-30 |
| 15. आईएस 4639 (भाग 2) : 2000—पेट्रोलियम उद्योग—शब्दावली भाग 2 गुणधर्म और परीक्षण (पहला पुनरीक्षण)                | —                        |     | 2000-09-30 |
| 16. आईएस 4639 (भाग 3) : 2000—पेट्रोलियम उद्योग—शब्दावली भाग 3 अन्वेषण और उत्पादन (पहला पुनरीक्षण)                | —                        |     | 2000-09-30 |
| 17. आईएस 4639 (भाग 4) : 2000—पेट्रोलियम उद्योग—शब्दावली भाग 4 परिशोधन (पहला पुनरीक्षण)                           | —                        |     | 2000-09-30 |
| 18. आईएस 4639 (भाग 7) : 2000—पेट्रोलियम उद्योग—शब्दावली भाग 7 अन्य तकनीकी शब्द (पहला पुनरीक्षण)                  | —                        |     | 2000-09-30 |
| 19. आईएस 5246/2000—शंकुधारी लट्ठे—विशिष्ट (पहला पुनरीक्षण)   | आईएस 5246 : 1969         |     | 2000-10-31 |
| 20. आईएस 5562 : 2000—स्वचल वाहन इंधन मापी—क्रॉस कॉयल संचलन टाइप—विशिष्ट (दूसरा पुनरीक्षण)                        | आईएस 5562 : 1982         |     | 2000-09-30 |
| 21. आईएस 5571 : 2000—जोखिम पूर्ण क्षेत्रों के लिए विद्युत् उपस्कर के चयन की मार्गदर्शिका (दूसरा पुनरीक्षण)       | आईएस 5571 : 1979         |     | 2000-08-31 |
| 22. आईएस 5608 (भाग 4) : 2000—पीवीसी विद्युत् रोधन और पीवीसी खोल वाले एल एफ तार और केबल                           | आईएस 5608 (भाग 4) : 1981 |     | 2000-10-31 |
| 23. आईएस 5718 : 2000—कृषि उत्पाद प्रसंस्करण उपस्कर—बीज सफाई यंत्र—परीक्षण (संहिता) (दूसरा पुनरीक्षण)             | आईएस 5718 : 1980         |     | 2000-09-30 |
| 24. आईएस 6329 : 2000—औद्योगिक भवनों में अग्नि सुरक्षा की रीति संहिता—लकड़ी के कार्य व आरा मिलें (पहला पुनरीक्षण) | आईएस 6329 : 1971         |     | 2000-10-31 |
| 25. आईएस 6396 : 2000—विकार्वनीकृत इस्पात-परत की मोटाई के मापन की विधियां (दूसरा पुनरीक्षण)                       | आईएस 6396 : 1983         |     | 2000-08-31 |

| (1)   | (2)                            | (3) | (4)        |
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| 26. आईएस 6464 : 2000—ईएनटी नैदानिक उपकरण—टयनिंग फोर्क ( गारडीनर ब्राउन पैटर्न ) विशिष्ट (पहला पुनरीक्षण )   | आईएस 6464 : 1972               |     | 2000-09-30 |
| 27. आईएस 7500 : 2000—मिट्टी के बांधों में आंतरिक उर्ध्वाधर संचलन के मापने के लिए क्रॉस आर्म के स्थापन और निरीक्षण की रीति संहिता                          | आईएस 7500 : 1974               |     | 2000-09-30 |
| 28. आईएस 7587 ( भाग 7 ) . 2000—माइन केज निलंबन गियर में कण्डलन—विशिष्ट भाग 7 सुरक्षा विनियोजक हुक ( 4 प्लेट टाइप ) 120, 150 और 200 कि. न्यूटन क्षमता वाले | —                              |     | 2000-10-31 |
| 29. आईएस 7784 (भाग 2/खंड 2) : 2000—आर-पार जल निकास कार्य के डिजाइन रीति संहिता भाग 2 विशिष्ट अपेक्षाएं खंड 2 सुपरपैसेज (पहला पुनरीक्षण )                  | आईएस 7784 (भाग 2/खंड 2) : 1980 |     | 2000-10-31 |
| 30. आईएस 7784 (भाग 2/खंड 5) : 2000—आर-पार जल निकास कार्य के डिजाइन रीति संहिता भाग 2 विशिष्ट अपेक्षाएं खंड 2 साइफन एक्वोडक्ट                              | आईएस 7784 (भाग 2/खंड 2) 1980   |     | 2000-10-31 |
| 31. आईएस 7911 : 2000—डाई इथनोल—अमीन विशिष्ट (पहला पुनरीक्षण )   | आईएस 7911 : 1975               |     | 2000-10-31 |
| 32. आईएस 8110 : 2000—कूप जालियों और खोजित पाइप—विशिष्ट (दूसरा पुनरीक्षण )   | आईएस 8110 : 1985               |     | 2000-10-31 |
| 33. आईएस 8768 : 2000—द्रव रसायनिक पदार्थों का प्लेटिनम—कोबाल्ट माप पर रंग मापने की विधि (दूसरा पुनरीक्षण )  | आईएस 8768 : 1988               |     | 2000-10-31 |
| 34. आईएस 9087 : 2000—वायुयान—100° काउंटरसंक मिश्रित एल्युमीनियम की रिबटें—विशिष्ट (पहला पुनरीक्षण )   | आईएस 9087 : 1979               |     | 2000-09-30 |
| 35. आईएस 9471 (भाग 6) : 2000—माडयूली अथः अंग हड्डी घटक भाग 6 हड्डी श्रोणि जोड़—विशिष्ट  | —                              |     | 2000-10-31 |
| 36. आईएस 9763 : 2000—गर्म तथा ठंडे पानी के लिए प्लास्टिक की बिब टोटियां, एंगल, वाल्व, रोक वाल्व तथा फुहारक—विशिष्ट (दूसरा पुनरीक्षण )                     | आईएस 9763 : 1988               |     | 2000-10-31 |

| (1)  | (2)               | (3) | (4)        |
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| 37. आईएस 9913 : 2000—आर-पार जल विकास कार्य के निर्माण की रीति संहिता (पहला पुनरीक्षण)  | आईएस 9913 : 1981  |     | 2000-10-31 |
| 38. आईएस/आईएसओ 10015 1999—गुणता प्रबंध—प्रशिक्षण हेतु मार्गदर्शी सिद्धान्त   | —                 |     | 2000-09-30 |
| 39. आईएस 10430 : 2000—अस्तर लगी नहरों की डिजाइन के माप दण्ड तथा अस्तर प्रकार के चुनाव के मार्गदर्शी सिद्धान्त (पहला पुनरीक्षण)                       | आईएस 10430 : 1982 |     | 2000-10-31 |
| 40. आईएस 10731 : 2000—प्रेसें—शैक के अवस्थापन के स्लाइड छिद्र—आयाम (पहला पुनरीक्षण)  | आईएस 10731 : 1983 |     | 2000-10-31 |
| 41. आईएस 11592 : 2000—पट्टा वाहनों का चयन और डिजाइन—रीति संहिता (पहला पुनरीक्षण)   | आईएस 11592 : 1985 |     | 2000-10-31 |
| 42. आईएस 12094 : 2000—नदी तटबंध के नियोजन तथा डिजाइन के मार्गदर्शी सिद्धान्त (पहला पुनरीक्षण)  | आईएस 12094 : 1987 |     | 2000-10-31 |
| 43. आईएस 12683 (भाग 3) : 2000—दृष्टि क्षीणों के लिए मापन युक्तियाँ—विशिष्ट भाग 3 गोनियोमीटर  | —                 |     | 2000-08-31 |
| 44. आईएस 13109 (भाग 9) : 2000—कोयला और धातुमय खानों में प्रयुक्त विद्युत् उपस्कर/यंत्रों की विशिष्टि भाग 9 इन्सुलेशन प्रतिरोधी टैस्टिंग की अपेक्षाएं | —                 |     | 2000-10-31 |
| 45. आईएस 13109 (भाग 11) : 2000—कोयला और धातुमय खानों में प्रयुक्त विद्युत् उपस्कर/यंत्रों की विशिष्टि भाग 11 ताप मानीटरी तंत्र के लिए अपेक्षाएं      | —                 |     | 2000-09-30 |
| 46. आईएस 13489 : 2000—बस्त्रादि बिस्तरों के गद्दे—विशिष्टि (पहला पुनरीक्षण)  | आईएस 13489 : 1992 |     | 2000-08-31 |
| 47. आईएस 13510 : 2000—बस्त्रादि—पोलि-एस्टर/रुई मिश्रित रिप-स्टाप डक की विशिष्टि (पहला पुनरीक्षण)   | आईएस 13510 : 1992 |     | 2000-09-30 |
| 48. आईएस 14644 (भाग 7) : 2000—निकल मिश्रधातुएं—ज्वाला परमाणवीय अवशोषण स्पेक्ट्रोमीट्रिक विश्लेषण पद्धति भाग 7 एल्यूमीनियम अंश निर्धारण               | —                 |     | 2000-09-30 |
| 49. आईएस 14644 (भाग 8) : 2000—निकल मिश्रधातुएं—ज्वाला परमाणवीय अवशोषण स्पेक्ट्रोमीट्रिक विश्लेषण पद्धति भाग 8 सीलीकॉन अंश निर्धारण                   | —                 |     | 2000-09-30 |

| (1) | (2)   | (3) | (4)        |
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| 50. | आईएस 14644 (भाग 9) : 2000—निकल मिश्रधातुएं—ज्वाला परमाणवीय अवशोषण स्पेक्ट्रोमीट्रिक विश्लेषण पद्धति भाग 9 वैनेडियम अंश निर्धारण   | —   | 2000-09-30 |
| 51. | आईएस 14665 (भाग 1) : 2000—विद्युत संकर्षण लिफ्टें भाग 1 यात्री, मालवाहक, सर्विस और अस्पताल प्रयोग की लिफ्टों के परिरक्षा आयामों की मार्गदर्शी   | —   | 2000-10-31 |
| 52. | आईएस 14715 : 2000—बुने हुए जूट के भूवस्त्र—विशिष्ट  | —   | 2000-08-31 |
| 53. | आईएस 14795 : 2000—प्रत्यक्ष अपचयन प्रक्रियाओं हेतु लौह आक्साइड भरण सामग्री के गुच्छन के निर्धारण की प्रणाली   | —   | 2000-08-31 |
| 54. | आईएस 14797 : 2000—प्रगलत अपचयन (वैकल्पिक लौह निर्माण) प्रक्रियाओं की वर्गीकरण   | —   | 2000-10-31 |
| 55. | आईएस 14806 : 2000—एजोस्परिलम जीवाणु कल्चर   |     |            |
| 56. | आईएस 14807 : 2000—घुलनशीलनीय फास्फेट जीवाणु कल्चर (पी एस बी आई) — विशिष्ट   | —   | 2000-10-31 |
| 57. | आईएस 14813 : 2000—स्वचल वाहन एअर हॉर्न—विशिष्ट  | —   | 2000-10-31 |
| 58. | आईएस 14816 : 2000—चमड़ा—इको मापदंड की परीक्षण पद्धति  | —   | 2000-10-31 |
| 59. | आईएस 14824 : 2000—वायु आकाशीय—सैल्फ-लॉकिंग, नियत, एकल-लग, एन्कर नट, लघु-कृत श्रृंखला, प्रतिवेक्षण सहित, एम जे चूड़ियों के साथ, सामंथ्य वर्गीकरण 1100 मेगा पास्कल/235 डिग्री से.—विशिष्ट | —   | 2000-09-30 |
| 60. | आईएस 14826 : 2000—पशु आहार—हाई ड्रिवलोरिक अम्ल में अधिलेय ऐश ज्ञात करना   | —   | 2000-09-30 |
| 61. | आईएस 14827 : 2000—पशु आहार—कूड ऐश ज्ञात करना  | —   | 2000-08-31 |
| 62. | आईएस 14831 : 2000—पशु आहार—परीक्षण नमूना तैयार करना   | —   | 2000-09-30 |
| 63. | आईएस 14832 : 2000—पशु आहार—यूरिया ज्ञात करना  | —   | 2000-09-30 |
| 64. | आईएस 14833 : 2000—लिन्डेन आर्द्र करणीय पाउडर—विशिष्ट  | —   | 2000-10-31 |

| (1)  | (2) | (3) | (4)        |
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| 65. आई एस 14834 : 2000—लिन्डेन डस्ट पाउडर—विशिष्ट  | —   |     | 2000-10-31 |
| 66. आई एस 14841 (भाग 2/खंड 1) : 2000—कुण्डलन तारों की पैकेजबन्दी भाग 2 बेलनाकार बैरल निकास फिरकियां खंड 1 आधारभूत आयाम   | —   |     | 2000-10-31 |
| 67. आई एस 14841 (भाग 3/खंड 3) : 2000—कुण्डलन तारों की पैकेजबन्दी भाग 3 टेपर बैरल निकास फिरकियां खंड 3 थर्मोप्लास्टिक सामग्री से निर्मित पुनः उपयोग में न आने वाली फिरकियां के लिये विशिष्ट | —   |     | 2000-10-31 |
| 68. आई एस 14842 : 2000—सामान्य प्रयोजन के लिये नारियल जटा विनियर बोर्ड—विशिष्ट   | —   |     | 2000-10-31 |
| 69. आई एस 14845 : 2000—जलकल के लिये रेजीलिएंट सीटिड ढलवां लोहे के वायु निकास वाल्व—विशिष्ट   | —   |     | 2000-10-31 |
| 70. आई एस 14846 : 2000—जलकल के लिए स्लूस वाल्व (50 से 1200 मिमी साइज के)—विशिष्ट   | —   |     | 2000-10-31 |
| 71. आई एस 14847 : 2000—औद्योगिक प्रयोजनों के लिये लिथियम मिश्रित ग्रीज—विशिष्ट   | —   |     | 2000-10-31 |
| 72. आई एस 14851 : 2000—अग्नि शमन कार्यों के लिये होज के अनुरक्षण की रीति संहिता  | —   |     | 2000-10-31 |
| 73. आई एस 14852 : 2000—उच्चताप सह उद्योग के लिये फ्लेकी ग्रेफाइट—विशिष्ट   | —   |     | 2000-08-31 |
| 74. आई एस 14855 (भाग 1) : 2000—पौध सुरक्षा और कीट नियंत्रण उपस्कर—धूम्र उत्पादन (फार्मिंग) मशीन—विशिष्ट भाग 1 प्लस-जैट-प्रकार का तापीय धूम्र उत्पादक                                       | —   |     | 2000-10-31 |
| 75. आई एस 14857 : 2000—कृषि एवं खाद्य पदार्थों में 2, 4-डी अवशेष ज्ञात करने की विधि  | —   |     | 2000-10-31 |
| 76. आई एस 14860 : 2000—उर्ध्वधर मिश्रित फीड चूना शॉफ्ट भट्टी में ईंधन की बचत के दिशा निर्देश .   | —   |     | 2000-10-31 |
| 77. आई एस 14861 : 2000—मोटर वाहनों हेतु द्रवित पेट्रोलियम गैस (एल पी जी—विशिष्ट  | —   |     | 2000-09-30 |
| 78. आई एस 14863 : 2000—बदले जा सकने वाले इंसर्टों के लिये टर्निंग और कार्पिंग औजार धारक तथा कार्टिज—अभिनाम   | —   |     | 2000-10-31 |
| 79. आई एस 14864 : 2000—बदले जा सकने वाले इंसर्टों के लिये प्रवेधन दंड (बेलनाकार शेक सहित औजार-धारक)—अभिनाम   | —   |     | 2000-10-31 |

| (1) | (2)  | (3) | (4)        |
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| 80. | आई एस 14867 : 2000—कार्टिज, टाईप ए, बदले जा सकने वाले इंसटो के लिये—आयाम   | --- | 2000-10-31 |
| 81. | आई एस 14868 : 2000—प्रयोगशाला सामान अन्तर्ग्रन्थिर्वर्तनीय गोलाकार अयवर्णन कांच जोड़-विशिष्ट   | --- | 2000-09-30 |
| 82. | आई एस 14869 : 2000—अनावृत्त चैनल में द्रव प्रवाह मापन-आयामकार, समलबी और यू-आकार लौ   | --- | 2000-10-31 |
| 83. | आई एस 14870 : 2000—इलेक्ट्रॉनिक एवं दूरसंचार उपस्कर में प्रयुक्त ट्रांसफार्मर एवं प्रेरक मापन विधियाँ एवं परीक्षण प्रविद्या  | --- | 2000-10-31 |
| 84. | आई एस 14872 (भाग 2) : 2000—बाल स्कू भाग 2 अभिहित व्यास और अभिहित लीड-मीट्रिक शृंखला  | --- | 2000-09-31 |
| 85. | आई एस 14872 (भाग 3) : 2000—बाल स्कू भाग 3 स्वीकरण स्थितियाँ और स्वीकरण परीक्षण   | --- | 2000-09-30 |
| 86. | आई एस 14873 : 2000—सूचना और प्रलेखन सूचना विनियम के लिये फार्मेट   | --- | 2000-10-31 |
| 87. | आई एस 14876 : 2000—संपीडित वायु स्नेहक-मूल्यांकन प्राचल  | --- | 2000-10-31 |
| 88. | आई एस 14879 : 2000—अग्र मेरु अतिप्रसार (ए.एस.एच.) कड़ा-विशिष्ट   | --- | 2000-10-31 |
| 89. | आई एस 14880 : 2000—व्यावसायिक सड़क वाहन—कर्षदण्ड युग्मन तथा दृढ़ कर्षदण्ड के लिये आई—सामर्थ्य परीक्षण  | --- | 2000-10-31 |
| 90. | आई एस 14884 : 2000—यांत्रिक कंपन और प्रघात—इमारतों का कंपन—कंपन मापन के दिशानिर्देश तथा इमारतों पर उनके प्रभाव का मूल्यांकन  | --- | 2000-10-31 |
| 91. | आई एस 14883 : 2000—यांत्रिक कंपन तथा प्रघात—त्वरणमापी का यांत्रिक आरोपण  | --- | 2000-10-31 |
| 92. | आई एस 14882 : 2000—अवमन्दन सामग्रियों जटिल मॉड्यूल का आरंभिक निरूपण  | --- | 2000-10-31 |
| 93. | आई एस 14887 : 2000—वस्त्रादि—50 किग्रा/25किग्रा खाद्यान्न पैक करने के लिये उच्च घनत्व पोलिइथाइलीन (एच.डी.पी.ई.) पोलिप्रोथाइलीन (पी.पी.) के बोरे—विशिष्ट                          | --- | 2000-10-31 |
| 94. | आई एस क्यूसी 260400 : 2000—इलेक्ट्रॉनिकी एवं दूरसंचार उपस्कर में प्रयुक्त ट्रांसफार्मर एवं प्रेरक भाग 5 क्षमता अनुमोदन प्रविद्या के आधार पर स्तं द ट्रांसफार्मरो की विषय विशिष्ट | --- | 2000-10-31 |

| (1) | (2)  | (3) | (4)        |
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| 95. | आईएस व्हीसी 260500 : 2000—इलेक्ट्रॉनिकी<br>एवं दूरसंचार उपस्कर में प्रयुक्त ट्रांसकार्मर<br>एवं प्रेरक<br>भाग 6 क्षमता अनुमोदन प्रक्रिया के आधार<br>पर प्रेरकों की विषय विशिष्टि | --  | 2000-10-31 |

इन मानकों की प्रतियां भारतीय मानक ब्यूरो भवन 9 बहादुरगढ़ जकर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कलकत्ता, चण्डीगढ़, चेन्नई व मुम्बई और शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयंबटूर, फरीदाबाद, गाजियाबाद, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, लखनऊ, नागपुर, पटना, पुणे, राजकोट व तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[मं. के. प्र. वि./13 : 2]  
बी. के. जैन, अपर महानिदेशक

New Delhi, the 30th November, 2000

S.O. 2722.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established on the date indicated against each :

#### SCHEDULE

| Sl. No. | No. year and Title of the Indian Standards Established  | No. & year of the Indian Standard or Standards, if any, superseded by the new Indian Standard | Date of Establishment |
|---------|---|---|-----------------------|
| (1)     | (2)   | (3)   | (4)                   |
| 1.      | IS 193:2000—Soft solder—Specification (Fifth Revision)  | IS 193:1982   | 2000-06-30            |
| 2.      | IS 1015:2000—Leather pump buckets and seat valves made from vegetable tanned leather—Specification (Second Revision)                              | IS 1015:1987  | 2000-10-31            |
| 3.      | IS 1586:2000—Method for rock well hardness test for metallic material (Scales A-B-C-D-E-F-G-H-K 15N, 30N, 45N, 15T, 30T and 45T) (Third Revision) | IS 1586:1988  | 2000-10-31            |
| 4.      | IS 1719:2000 Industrial textiles—Pressed wool felts—Specification (Forth Revision)  | IS 1719:1988  | 2000-10-31            |
| 5.      | IS 2197:2000—Aerospace textiles—Braided (Plainted) linen (Flax) lacing cord—Specification (Second Revision)                                       | IS 2197:1986  | 2000-10-31            |
| 6.      | IS 2283:2000—Nickel silver sheet, strip and foil—Specification (Second Revision)  | IS 2283:1981  | 2000-08-31            |
| 7.      | IS 2500 (Part 1):2000—Sampling procedure for inspection by attributes   | IS 2500 (Part 1):1992   | 2000-10-31            |

| 1   | 2   | 3                     | 4 | 5          |
|-----|---|-----------------------|---|------------|
|     | Part 1 Sampling schemes indexed by acceptance quality limit (AQL) for lot-by-lot inspection<br>(Third Revision)   |                       |   |            |
| 8.  | IS 3660 (Part 10):2000—Methods of test for natural rubber<br>Part 10 Determination of nitrogen content<br>[NR:11]<br>(First Revision)   | —                     |   | 2000-10-31 |
| 9.  | IS 3807:2000—Ent surgery instruments—Foreceps, dressing, aural and nasal—Specification<br>(First Revision)  | IS 3807 : 1966        |   | 2000-09-30 |
| 10. | IS 4487:2000—Ent surgery instruments—Forceps. tonsil artery (Birkett's pattern)—Specification<br>(First Revision)   | IS 4487:1968          |   | 2000-10-31 |
| 11. | IS 4544:2000—Ammonia—Code of safety<br>(First Revision)   | IS 4544:1968          |   | 2000-09-30 |
| 12. | IS 4545 (Part 12):2000—Method of measurement on receivers for television broadcast transmission<br>Part 12 Electrical measurement on multichannel sound television receivers using the nican two-channel digital sound system | —                     |   | 2000-09-30 |
| 13. | IS 4623:2000—Recommendations for structural design of radial gates<br>(Third Revision)  | IS 4623:1984          |   | 2000-10-31 |
| 14. | IS 4639 (Part 1) :2000—Petroleum industry—Terminology<br>Part 1 Raw materials and products<br>(First Revision)  | —                     |   | 2000-09-30 |
| 15. | IS 4639 (Part 2):2000—Petroleum industry—Terminology<br>Part 2 Properties and tests<br>(First Revision)   | —                     |   | 2000-09-30 |
| 16. | IS 4639 (Part 3):2000—Petroleum industry—Terminology<br>Part 3 Exploration and production<br>(First Revision)   | —                     |   | 2000-09-30 |
| 17. | IS 4639 (Part 4):2000—Petroleum industry—Terminology<br>Part 4 Refining<br>(First Revision)   | —                     |   | 2000-09-30 |
| 18. | IS 4639 (Part 7):2000—Petroleum industry—Terminology<br>Part 7 Miscellaneous terms<br>(First Revision)  | —                     |   | 2000-09-30 |
| 19. | IS 5246:2000—Coniferous logs—Specification<br>(First Revision)  | IS 5246:1969          |   | 2000-10-31 |
| 20. | IS 5562:2000—Automotive vehicles—Fuel gauges—Cross coil movement type—Specification<br>(Second Revision)  | IS 5562:1982          |   | 2000-09-30 |
| 21. | IS 5571:2000—Guide for selection of electrical equipment for hazardous areas<br>(Second Revision)   | IS 5571:1979          |   | 2000-08-31 |
| 22. | IS 5608 (Part 4):2000—Specification for two frequency wires and cables with PVC insulation and PVC sheath<br>Part 4 Cables for indoor installations<br>(First Revision)   | IS 5608 (Part 4):1981 |   | 2000-10-31 |



| (1) | (2)  | (3)                     | (4)        |
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| 23. | IS 5718:2000—Agricultural produce processing equipment—Seed cleaners—Test code<br>(Second Revision)  | IS 5718:1980            | 2000-09-30 |
| 24. | IS 6329:2000—Code of practice for fire safety of industrial buildings—Saw mills and wood works<br>(First Revision)   | IS 6329:1971            | 2000-10-31 |
| 25. | IS 6396:2000—Methods of measuring decarburized depth of steel<br>(Second Revision)   | IS 6396:1983            | 2000-08-31 |
| 26. | IS 6464:2000—Ent diagnostic instruments—Tuning forks (Grader brown's pattern)—Specification<br>(First Revision)  | IS 6464:1972            | 2000-09-30 |
| 27. | IS 7500:2000—Code of practice for installation and observation of cross arms for measurement of internal vertical movement in earth dams<br>(First Revision)   | IS 7500:1974            | 2000-09-30 |
| 28. | IS 7587 (Part 7):2000—Cage suspension gear for winding in mines—Specification<br>Part 7 Safety detaching hook (4 Plate type) 120, 150 and 200,kN capacity      | —                       | 2000-10-31 |
| 29. | IS 7784 (Part 2/Sec 2):2000—Code of practice for design of cross drainage works<br>Part 2 Specific requirements Section 2 Superpassages<br>(First Revision)    | IS 7784 (Pt.2/Sec.2):80 | 2000-10-31 |
| 30. | IS 7784 (Part 2/Sec 5):2000—Code of practice for design of cross drainage works<br>Part 2 Specific requirements Section 5 Syphon aqueducts<br>(First Revision) | IS 7784 (Pt.2 Sec.5):80 | 2000-10-31 |
| 31. | IS 7911:2000—Diethanolamine—Specification<br>(First Revision)  | IS 7911:1975            | 2000-10-31 |
| 32. | IS 8110:2000—Well screens and slotted pipes—Specification<br>(Second Revision)   | IS 8110:1985            | 2000-10-31 |
| 33. | IS 8768:2000—Method of measurement of colour in liquid chemical products platinum-cobalt scale<br>(Second Revision)  | IS 8768:1988            | 2000-10-31 |
| 34. | IS 9087:2000—Aircraft—100 Countersunk aluminium alloy rivets—Specification<br>(First Revision)   | IS 9087:1979            | 2000-09-30 |
| 35. | IS 9471 (Part 6):2000—Modular lower limb orthotic components Part 5 Orthotic hip joint (Joint unit' hip drop lock)—Specification                               | —                       | 2000-10-31 |
| 36. | IS 9763:2000—Plastics bib taps, pillar taps, angle valves and stop valves for hot and cold water services—Specification<br>(Second Revision)                   | IS 9763:1988            | 2000-10-31 |
| 37. | IS 9913:2000—Code of practice for construction of cross drainage works<br>(First Revision)   | IS 9913:1981            | 2000-10-31 |
| 38. | IS/ISO 10015:1999—Quality management—Guidelines for training   | —                       | 2000-09-30 |

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| 39. IS 10430:2000—Criteria for design of lined canals and guidance for selection of type of lining<br>(First Revision)   | IS 10430:1982 |     | 2000-10-31 |
| 40. IS 10731:2000—Presses—Slide holes for locating the shanks—Dimensions<br>(First Revision)   | IS 10731:1983 |     | 2000-10-31 |
| 41. IS 11592:2000—Selection and design of belt conveyors—Code of practice<br>(First Revision)  | IS 11592:1985 |     | 2000-10-31 |
| 42. IS 12094:2000—Guidelines for planning and design of river embankments (Levees)<br>(First Revision)   | IS 12094:1987 |     | 2000-10-31 |
| 43. IS 12683 (Part 3):2000—Measuring devices for visually impaired persons—Specification<br>Part 3 Goniometer  | —             |     | 2000-08-31 |
| 44. IS 13109 (Part 9):2000—Specification for electronic equipment/systems for use in coal and metalliferous mines<br>Part 9 Requirements for insulation resistance testers         | —             |     | 2000-10-31 |
| 45. IS 13109 (Part 11):2000—Specification for electronic equipment/systems for use in coal and metalliferous mines<br>Part 11 Requirements for goaf temperature monitoring systems | —             |     | 2000-09-30 |
| 46. IS 13489:2000—Textiles—Bedmattress—Specification<br>(First Revision)   | IS 13489:1992 |     | 2000-08-31 |
| 47. IS 13510:2000—Textiles—Duck, polyester/cotton blended, rip-stop—Specification<br>(First Revision)  | IS 13510:1992 |     | 2000-09-30 |
| 48. IS 14644 (Part 7):2000—Nickel alloys—Flame atomic absorption spectrometric analysis—Method<br>Part 7 Determination of aluminium content  | —             |     | 2000-09-30 |
| 49. IS 14644 (Part 8):2000—Nickel alloys—Flame atomic absorption spectrometric analysis—Method<br>Part 8 Determination of silicon content  | —             |     | 2000-09-30 |
| 50. IS 14644 (Part 9):2000—Nickel alloys—Flame atomic absorption spectrometric analysis—Method<br>Part 9 Determination of vanadium content   | —             |     | 2000-09-30 |
| 51. IS 14665 (Part 1):2000—Electric traction lifts<br>Part 1 Guidelines for outlines dimensions of passenger, goods, service and hospital lifts                                    |               |     | 2000-10-31 |
| 52. IS 14715:2000—Woven jute geotextiles—Specification   | —             |     | 2000-08-31 |
| 53. IS 14795:2000 Method for determination of clustering of iron oxide feedstock for direct reduction processes  | —             |     | 2000-08-31 |
| 54. IS 14797:2000 Classification of smelting reduction (Alternate iron making) processes   | —             |     | 2000-10-31 |
| 55. IS 14806:2000—Azospirillum inoculants  | —             |     | 2000-10-31 |
| 56. IS 14807:2000—Phosphate solubilising bacterial inoculant (PSBI)—Specification  | —             |     | 2000-10-31 |

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| 57. | IS 14813:2000—Automotive vehicles—Air horns—Specification   | —   | 2000-10-31 |
| 58. | IS 14816:2000—Leather—Method of tests for ECO criteria  | —   | 2000-10-31 |
| 59. | IS 14824:2000—Aerospace—Self-locking, fixed single-lug anchor nuts, reduced series, with counterbore, with MJ threads, strength classification 1100 MPa/235 C—Specification           | —   | 2000-09-30 |
| 60. | IS 14826:2000—Animal feeding stuff—Determination of ash insoluble in hydrochloric acid  | —   | 2000-09-30 |
| 61. | IS 14827:2000—Animal feeding stuff—Determination of crude ash   | —   | 2000-08-31 |
| 62. | IS 14831:2000—Animal feeding stuff—Preparation of test sample   | —   | 2000-09-30 |
| 63. | IS 14832:2000—Animal feeding stuff—Determination of urea  | —   | 2000-09-30 |
| 64. | IS 14833:2000—Lindane wettable powder—Specification   | —   | 2000-10-31 |
| 65. | IS 14834:2000—Lindane dusting powder—Specification  | —   | 2000-10-31 |
| 66. | IS 14841 (Part 2/Sec 1):2000—Packaging of winding wires<br>Part 2 Cylindrical barrelled delivery spools<br>Section 1 Basic dimensions   | —   | 2000-10-31 |
| 67. | 14841 (Part 3/Sec. 3):2000—Packaging of winding wires<br>Part 3 Taper barrelled delivery spools<br>Section 3 Specification for Non-returnable spools made from thermoplastic material | —   | 2000-10-31 |
| 68. | IS 14842:2000—Coir veneer board for general purposes—Specification  | —   | 2000-10-31 |
| 69. | IS 14845:2000—Resilient seated cast iron air relief valves for water works purposes—Specification   | —   | 2000-10-31 |
| 70. | IS 14846:2000—Sluice valve for water works purposes (50 to 1200mm size)—Specification   | —   | 2000-10-31 |
| 71. | IS 14847:2000—Lithium complex grease for industrial purposes—Specification  | —   | 2000-10-31 |
| 72. | IS 14851:2000—Maintenance of fire hose—Code of practice   | —   | 2000-10-31 |
| 73. | IS 14852:2000—Flaky graphite for refractory industry—Specification  | —   | 2000-08-31 |
| 74. | IS 14855 (Part 1):2000—Plant protection and vector control equipment—Fogging machines—Specification<br>Part 1 Pulse-jet-type thermal fogger   | —   | 2000-10-31 |
| 75. | IS 14857:2000—Method for determination of 2,4-D residues in agricultural and food commodities   | —   | 2000-10-31 |
| 76. | IS 14860:2000—Guidelines on fuel saving in vertical mixed-feed lime shaft kilns   | —   | 2000-10-31 |
| 77. | IS 14861:2000—Liquefied petroleum gases (LPG) for automotive purposes—Specification   | —   | 2000-09-30 |
| 78. | IS 14863:2000—Turning and copying tool holders and cartridges for indexable inserts—Designation   | —   | 2000-10-31 |
| 79. | IS 14864:2000—Boring bars (Tool holders with cylindrical shank) for indexable inserts—Designation   | —   | 2000-10-31 |
| 80. | IS 14867:2000—Cartridges, type A, for indexable inserts—Dimensions  | —   | 2000-10-31 |

| (1) | (2)   | (3) | (4)        |
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| 81. | IS 14868:2000—Laboratoryware—Interchangeable spherical ground glass joints—Specification  | —   | 2000-09-30 |
| 82. | IS 14869:2000—Liquid flow measurement in open channels—Rectangular, trapezoidal and U-shaped flumes   | —   | 2000-10-31 |
| 83. | IS 14870:2000—Transformers and inductors for use in electronic and telecommunication equipment—Measuring methods and test procedures  | —   | 2000-10-31 |
| 84. | IS 14872 (Part 2):2000—Ball screws<br>Part 2 Nominal dimeters and nominal leads—Metric series   | —   | 2000-09-30 |
| 85. | IS 13872 (Part 3):2000—Ball screws<br>Part 3 Acceptance conditions and acceptance tests   | —   | 2000-09-30 |
| 86. | IS 14883:2000—information and documentation—Format for information exchange   | —   | 2000-10-31 |
| 87. | IS 14876:2000—Compressed air lubricators—Evaluation parameters  | —   | 2000-10-3  |
| 88. | IS 14879:2000—Anterior spinal hyperextension (ASH) brace—Specification  | —   | 2000-10-31 |
| 89. | IS 14880:2000—Commercial road vehicles—Drawbar couplings and eyes rigid drawbars—Strength tests   | —   | 2000-10-31 |
| 90. | IS 14884:2000—Mechanical vibration and shock—Vibration of buildings—Guidelines for the measurement of vibrations and evaluation of their effects on buildings   | —   | 2000-10-31 |
| 91. | IS 14883:2000—Mechanical vibration and shock—Mechanical mounting of accelerometers  | —   | 2000-10-31 |
| 92. | IS 14882:2000—Damping materials—Graphical presentation of the complex modulus   | —   | 2000-10-31 |
| 93. | IS 14887:2000—Textiles—High density polyethylene (HDPE)/polypropylene (PP) woven sacks for packing 50 kg/25 kg Food-grains—Specification  | —   | 2000-10-31 |
| 94. | IS QC 260400:2000—Transformers and inductors for use in electronic and telecommunication equipment<br>Part 5 Sectional specification for pulse transformers on the basis of capability approval procedure | —   | 2000-10-31 |
| 95. | IS QC 260500:2000—Transformers and inductors for use in electronic and telecommunication equipment<br>Part 6 Sectional specification for inductors on the basis of capability approval procedure          | —   | 2000-10-31 |

Copy of these Indian Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Margh, New Delhi-110002 and Regional Offices : New Delhi, Calcutta, Chadigarh, Chennai, Mumbai and also Branch Offices : Ahmadabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Faridabad, Ghaziabad, Guwahati, Hyderabad, Jaipur, Kanpur, Lucknow, Nagpur, Patna, Pune, Rajkot, Thiruvananthapuram.

[No. CMD/13:2]

V. K. JAIN, Addl. Director General

## कोयला मंत्रालय

नई दिल्ली, 30 नवम्बर, 2000

का.आ. 2723 :—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है,

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है,

इस अधिसूचना के अन्तर्गत आने वाले रेखांक सं. ईसीएल/केडीएफ/एलए/केडीपी 1/93 तारीख 21 सितम्बर, 1993 का निरीक्षण ईस्टर्न कोलफील्ड्स लि., मुख्य कार्यालय, डाकघर दिशेरगढ़-713333 जिला वर्धवान (पश्चिम बंगाल) के कार्यालय में या कलक्टर बांकुरा 722101 जिला-बांकुरा (पश्चिमी बंगाल) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उप धारा (7) में विनिर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर उस प्रभारी अधिकारी/विभागाध्यक्ष (भू-राजस्व), ईस्टर्न कोलफील्ड्स लि. मुख्यालय, सैकटोरिया डाकघर-दिशेरगढ़-713333, जिला वर्धवान (पश्चिमी बंगाल) को भेजेंगे।

## अनुसूची

कालिदास पुर ब्लाक

सतग्राम क्षेत्र

जिला-बांकुरा (पश्चिमी बंगाल)

| क्र.सं. ग्राम मौजा/का नाम | अधिकारिता सूची सं. | पुलिस थाना | जिला    | क्षेत्र (हेक्टर में) | टिप्पणियां    |
|---------------------------|--------------------|------------|---------|----------------------|---------------|
| 1. साहेबडांगा             | 45                 | सालतोरा    | बांकुरा | 20.00                | भाग           |
| 2. भारा                   | 1                  | मेझिया     | बांकुरा | 176.58               | भाग           |
| 3. कालिदासपुर             | 2                  | मेझिया     | बांकुरा | 90.00                | भाग           |
| 4. कालिकापुर              | 3                  | मेझिया     | बांकुरा | 128.78               | संपूर्ण       |
| 5. बांसकुरी               | 4                  | मेझिया     | बांकुरा | 29.27                | संपूर्ण       |
| 6. बेनीकनाली              | 5                  | मेझिया     | बांकुरा | 45.57                | संपूर्ण       |
| 7. भुलुई                  | 6                  | मेझिया     | बांकुरा | 69.00                | भाग           |
| 8. अर्द्धग्राम            | 7                  | मेझिया     | बांकुरा | 40.00                | भाग           |
| 9. क्षरिडोरे              | 12                 | मेझिया     | बांकुरा | 20.00                | भाग           |
| 10. धुसरा                 | 13                 | मेझिया     | बांकुरा | 40.00                | भाग           |
| 11. जोतसीराम              | 14                 | मेझिया     | बांकुरा | 188.00               | भाग           |
| 12. जुगीबाग               | 15                 | मेझिया     | बांकुरा | 82.00                | भाग           |
| 13. जोरसा                 | 18                 | मेझिया     | बांकुरा | 5.00                 | भाग           |
| कुल :                     |                    |            |         | 934.20               | हेक्टर (लगभग) |

## सीमा वर्णन

क—ख : रेखा बिन्दु “क” से आरंभ होती है और ग्राम/मौजा साहेबडांगा, अधिकारिता सूची सं. 45 से गुजरती है और बिन्दु “ख” पर मिलती है।

ख—ग : रेखा बिन्दु “ख” से आरंभ होती है और ग्राम/मौजा भारा, अधिकारिता सूची सं. 1 से गुजरती है और बिन्दु “ग” पर मिलती है।

|       |  |
|-------|--|
| ग—ख : | रेखा बिन्दु “ग” से आरंभ होती है और ग्राम/मौजा कालिदासपुर, अधिकारिता सूची सं. 2 से गुजरती है और बिन्दु “घ” पर मिलती है ।  |
| घ—ङ : | रेखा बिन्दु “घ” से आरंभ होती है और ग्राम/मौजा जुगीबाग, अधिकारिता सूची सं. 15 से गुजरती है और बिन्दु “ङ” पर मिलती है ।  |
| ङ—च : | रेखा बिन्दु “ङ” से आरंभ होती है और मौजा जोतसीराम, अधिकारिता सूची सं. 14 से गुजरती है और बिन्दु “च” पर मिलती है ।   |
| च—छ : | रेखा बिन्दु “च” से आरंभ होती है और ग्राम/मौजा घुसरा, अधिकारिता सूची सं. 13 से गुजरती है और बिन्दु “छ” पर मिलती है ।  |
| छ—ज : | रेखा बिन्दु “छ” से आरंभ होती है और ग्राम/मौजा जोरसा, अधिकारिता सूची सं. 18 से गुजरती है और ग्राम मौजा/घुसरा, अधिकारिता सूची सं. 13 में बिन्दु “ज” पर मिलती है ।  |
| ज—झ : | रेखा बिन्दु “ज” से आरंभ होती है और ग्राम/मौजा घुसरा, अधिकारिता सूची सं. 13 से गुजरती है और बिन्दु “झ” पर मिलती है ।  |
| झ—अ : | रेखा बिन्दु “झ” से आरंभ होती है और ग्राम/मौजा क्षीरइटोरे, अधिकारिता सूची सं. 12 से गुजरती है और बिन्दु “अ” पर मिलती है ।   |
| अ—ट : | रेखा बिन्दु “अ” से आरंभ होती है और ग्राम/मौजा जोतसीराम, अधिकारिता सूची सं. 14 से गुजरती है और बिन्दु “ट” पर मिलती है ।   |
| ट—ठ : | रेखा बिन्दु “ट” से आरंभ होती है और ग्राम/मौजा भुजुई अधिकारिता सूची सं. 6 से गुजरती है और बिन्दु “ठ” पर मिलती है ।  |
| ठ—ड : | रेखा बिन्दु “ठ” से आरंभ होती है और ग्राम/मौजा अर्द्धग्राम, अधिकारिता सूची सं. 7 से गुजरती है और बिन्दु “ड” पर मिलती है ।   |
| ड—क : | रेखा बिन्दु “ड” से आरंभ होती है और ग्राम/मौजा अर्द्धग्राम, अधिकारिता सूची सं. 7, ग्राम/मौजा भारा, अधिकारिता सूची सं. 1 और ग्राम/मौजा साहेबडांगा, अधिकारिता सूची सं. 45 से गुजरती है और आरंभिक बिन्दु “क” पर मिलती है । |

[सं. 43015/2/2000-पी आर आई डब्ल्यू]

एस. कृष्णन, उप सचिव

## MINISTRY OF COAL

New Delhi, the 30th November, 2000

S.O. 73.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule here to annexed.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect or coal therein.

The plan bearing No. ECL/KDF/LA/KDP/1/93 dated the 21st September, 1993 of the area covered by this notification can be inspected in the Office of the Eastern Coalfields Limited, Head Office-Sanctoria, Post Office—Disergarh-713333, District Burdwan (West Bengal) or in the office of the Collector, Bankura-722101, District-Bankura (West Bengal) or in the office of the Coal Controller, 1, Council House Street, Calcutta-700001.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer in Charge/Head of Department (Land Revenue), Eastern Coalfields Limited, Head Quarter-Sanctoria, Post Office-Dishergarh-713333, District-Burdwan (West Bengal) within ninety days from the date of publication of this notification.

## SCHEDULE

## Kalidaspur Block

## Satgram Area

## District—Bankura (West Bengal)

| Serial Number | Name of village/Mouza | Jurisdiction List Number | Police Station | District | Area in Hectares (Approx.) | Remarks            |
|---------------|-----------------------|--------------------------|----------------|----------|----------------------------|--------------------|
| 1.            | Sahebdanga            | 45                       | Saltora        | Bankura  | 20.00                      | Part               |
| 2.            | Bhara                 | 1                        | Mejhia         | Bankura  | 176.58                     | Part               |
| 3.            | Kalidaspur            | 2                        | Mejhia         | Bankura  | 90.00                      | Part               |
| 4.            | Kalikapur             | 3                        | Mejhia         | Bankura  | 128.78                     | Full               |
| 5.            | Banskuri              | 4                        | Mejhia         | Bankura  | 29.27                      | Full               |
| 6.            | Benakanali            | 5                        | Mejhia         | Bankura  | 45.57                      | Full               |
| 7.            | Bhului                | 6                        | Mejhia         | Bankura  | 69.00                      | Part               |
| 8.            | Ardhagram             | 7                        | Mejhia         | Bankura  | 40.00                      | Part               |
| 9.            | Kshiraitore           | 12                       | Mejhia         | Bankura  | 20.00                      | Part               |
| 10.           | Ghusra                | 13                       | Mejhia         | Bankura  | 40.00                      | Part               |
| 11.           | Jotsriram             | 14                       | Mejhia         | Bankura  | 188.00                     | Part               |
| 12.           | Jugibag               | 15                       | Mejhia         | Bankura  | 82.00                      | Part               |
| 13.           | Jorsa                 | 18                       | Mejhia         | Bankura  | 5.00                       | Part               |
| Total         |                       |                          |                |          | 934.20                     | Hectares (Approx.) |

Page 3

## BOUNDARY DESCRIPTION

- A—B Line starts from point A and passes through village/mouza Sahebdanga, Jurisdiction List number 45 and meets at point B.
- B—C Line starts from point B and passes through village/mouza Bhara, jurisdiction List Number 1 and meets at point C.
- C—D Line starts from point C and passes through village/mouza Kalidaspur, Jurisdiction List Number 2 and meets at point D.
- D—E Line starts from point D and passes through village/mouza Jugibag, Jurisdiction List number 15 and meets at point E.
- E—F Line starts from point E and passes through village/mouza Jotsriram, Jurisdiction List Number 14 and meets at point F.
- F—G Line starts from point F and passes through village/mouza Ghusra, Jurisdiction List Number 13 and meets at point G.
- G—H Line starts from point G and passes through village/mouza Jorsa, Jurisdiction List Number 18 and meets at point H in village/mouza Ghusra, Jurisdiction List Number 13.
- H—I Line starts from point H and passes through village/mouza Ghusra, Jurisdiction List Number 13 and meets at point I.
- I—J Line starts from point I and passes through village/mouza Kshiraitore, Jurisdiction List Number 12 and meets at point J.
- J—K Line starts from point J and passes again through village/mouza Jotsriram, Jurisdiction List Number 14 and meets at point K.
- K—L Line starts from point K and passes through village/mouza Bhului, Jurisdiction List Number 6 and meets at point L.
- L—M Line starts from point L and passes through village/mouza Ardhagram, Jurisdiction List Number 7 and meets at point M.

M—A Line starts from point M and passes through village/mouza Ardhamgram, Jurisdiction List Number 7 Village/mouza Bhara, Jurisdiction List number 1 and village/mouza Sahebda, Jurisdiction List Number 45 and meets at the starting point A.

[No. 43015/2/2000-PRIW]  
S. KRISHNAN, Dy. Secy.

नई दिल्ली, 1 दिसम्बर, 2000

का.आ. 2724:—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित परिक्षेत्र की भूमि में कोयला अभिप्राप्त किये जाने की संभावना है।

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वोक्षण करने के अपने आशय की सूचना देती है।

इस अधिसूचना के अन्तर्गत आने वाले रेखांक सं. एमसीएल/एसएएमबी/सीजीएम (सीपी एंड पी)/चन्दियापाड़ा/00/23 तारीख 28 अप्रैल, 2000 का निरीक्षण मुख्य महाप्रबंधक (कोल प्रोजेक्ट एण्ड प्लानिंग) महानदी कोलफील्ड्स लि. जागृति बिहार, बुरला, संबलपुर—768 018 (उड़ीसा) के कार्यालय में या कलक्टर और जिला मजिस्ट्रेट अंगुल, उड़ीसा के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उप धारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर उस प्रभारी अधिकारी/विभागाध्यक्ष (राजस्व/सम्पदा,) महानदी कोलफील्ड्स लि., जागृति, बिहार, बुरला संबलपुर-768 018 (उड़ीसा) को भर्जेंगे।

अनुसूची

चेंदियापाड़ा ब्लाक

तालचैर कोलफील्ड्स

जिला—अंगुल (उड़ीसा)

सभी अधिकार

(रेखांक सं.:— एमसीएल/एसएएमबी/सीजीएम (कोल प्रोजेक्ट एण्ड प्लानिंग)/चेंदियापाड़ा/00/23 तारीख 28 अप्रैल, 2000)

| क्र.सं. | ग्राम              | पुलिस थाना और सं. | तहसील/उप<br>डिवीजन | जिला/राज्य   | क्षेत्र (एकड़ में) | टिप्पणियां |
|---------|--------------------|-------------------|--------------------|--------------|--------------------|------------|
| 1.      | चेंदियापाड़ा       | चेंदियापाड़ा/73   | अंगुल              | अंगुल/उड़ीसा | 806.00             | भाग        |
| 2.      | छोटा तेंतुली       | चेंदियापाड़ा/48   | अंगुल              | अंगुल/उड़ीसा | 635.43             | संपूर्ण    |
| 3.      | छोटा गोलागाडिया    | चेंदियापाड़ा/50   | अंगुल              | अंगुल/उड़ीसा | 351.72             | संपूर्ण    |
| 4.      | गोलागाडिया जंगल    | चेंदियापाड़ा/51   | अंगुल              | अंगुल/उड़ीसा | 399.09             | संपूर्ण    |
| 5.      | कांकुरपाल          | चेंदियापाड़ा/66   | अंगुल              | अंगुल/उड़ीसा | 320.72             | भाग        |
| 6.      | नांगुली            | चेंदियापाड़ा/49   | अंगुल              | अंगुल/उड़ीसा | 346.75             | संपूर्ण    |
| 7.      | मामुरियासाही       | चेंदियापाड़ा/71   | अंगुल              | अंगुल/उड़ीसा | 1394.67            | संपूर्ण    |
| 8.      | गोडापाली           | चेंदियापाड़ा/72   | अंगुल              | अंगुल/उड़ीसा | 201.08             | संपूर्ण    |
| 9.      | वाहलसाही           | चेंदियापाड़ा/70   | अंगुल              | अंगुल/उड़ीसा | 420.18             | संपूर्ण    |
| 10.     | गोहिरापासी         | चेंदियापाड़ा/69   | अंगुल              | अंगुल/उड़ीसा | 416.87             | संपूर्ण    |
| 11.     | दाहीयार            | चेंदियापाड़ा/68   | अंगुल              | अंगुल/उड़ीसा | 523.23             | संपूर्ण    |
| 12.     | चेंदियापाड़ा/पी एच | चेंदियापाड़ा/     | अंगुल              | अंगुल/उड़ीसा | 580.00             | संपूर्ण    |
| 13.     | गोलागाडिया         | चेंदियापाड़ा/53   | अंगुल              | अंगुल/उड़ीसा | 1025.59            | संपूर्ण    |
| 14.     | नांगुली जंगल       | चेंदियापाड़ा/67   | अंगुल              | अंगुल/उड़ीसा | 155.88             | संपूर्ण    |
| 15.     | खांगुरिया          | चेंदियापाड़ा/74   | अंगुल              | अंगुल/उड़ीसा | 90.91              | संपूर्ण    |
| 16.     | आरक्षित वन         | चेंदियापाड़ा/74   | अंगुल              | अंगुल/उड़ीसा | 1177.60            | भाग        |

कुल:

8845.72 (लगभग)

या

3579.814 हेक्टर (लगभग)



## सीमा वर्णन

- क-ख** रेखा बिन्दु “क” से आरंभ होती है, जो ग्राम बेडाबेराना, काकुरापाल और आरक्षित वन का त्रिसीमा बिन्दु है। यहां से रेखा ग्राम काँकुरापाल से होकर दक्षिण पूर्व की ओर जाती है और इस ग्राम की पूर्वी सीमा को बिन्दु “ख” पर स्पर्श करती है।
- ख-ग-घ** बिन्दु “ख” से रेखा ग्राम काँकुरापाल की पूर्वी सीमा के साथ-साथ इसके दक्षिण-पूर्व कोने तक जाती है और फिर “नाला” के उत्तरी और पश्चिमी किनारे के साथ-साथ /ग्राम काँकुरापाल की दक्षिणी सीमा के साथ-साथ आरक्षित वन में से होते हुए, ग्रामदहीवार की पूर्वी सीमा के साथ-साथ और तेंदियापाडा पी.एफ. की पूर्वी सीमा के साथ-साथ दक्षिण पश्चिम की ओर बिन्दु “ग” तक जाती है। यहां से रेखा ग्राम चेंदियापाडा पी.एफ. और ग्राम चेंदियापाडा से होकर, पश्चिम की ओर बिन्दु “घ” तक जाती है, जो ग्राम चेंदियापाडा, चेंदियापाडा जंगल और गोडापासी का त्रिसीमा बिन्दु है।
- घ-ङ-च** बिन्दु “घ” से रेखा, ग्राम गोडापाली की पश्चिमी सीमा, ग्राम भामुरियासाही की दक्षिणी, और पश्चिमी सीमा के साथ-साथ, उत्तर तथा उत्तर-पश्चिम की ओर “ङ”, तक जाती है। यहां से रेखा ग्राम भामुरियासाही और छोटासेंतुली की पश्चिमी सीमा के साथ-साथ उत्तर की ओर बिन्दु “च” तक जाती है, जो ग्राम छोटासेंतुली, नुआपाडा और नुआपाडा जंगल की त्रिसीमा बिन्दु है।
- च-छ-क** बिन्दु “च” से रेखा, ग्राम छोटासेंतुली की उत्तरी सीमा के साथ-साथ पूर्व की ओर जाती है और “नाला” पार करने के पश्चात् ग्राम गोलागडिया की पश्चिमी सीमा के साथ-साथ, उत्तर की ओर बिन्दु “छ” तक जाता है, जो ग्राम गोलागडिया, सालाखानन और नुजापाडा जंगल का त्रिसीमा बिन्दु है। यहां से रेखा, ग्राम गोलागडिया, गोलागडिया जंगल और आरक्षित वन की उत्तरी सीमा के साथ-साथ पूर्व की ओर, आरंभिक बिन्दु “क” तक जाती है।

[सं. 43015/15/2000-पी आर आई डब्ल्यू]

एस. कुण्णन, उप सचिव

New Delhi, the 1st December, 2000

S.O.2724.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein:

The plan bearing No.MCL/SAMB/CGM (CP&P)/Chhendipada/00/23, dated the 28th April, 2000 of the area covered by this notification can be inspected at the office of the Chief General Manager (CP&P), Mahanadi Coalfields Limited, Jagriti Vihar, Burla, Sambalpur-768018 Orissa) or at the office of the Collector and District Magistrate, Angul, Orissa or at the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the officer-in-charge/Head of the Department (Revenue/Estate), Mahanadi Coalfields Limited, Jagriti Vihar, Burla, Sambalpur-768018 Orissa) within ninety days from the date of the publication of this notification in the official Gazette.

## SCHEDULE

Chhendipada Block

Talcher Coalfield

District Angul (Orissa)

All Rights

(Plan bearing No. MCL/SAMB/CGM(CP&amp;P)/Chhendipada/00/23 dated 28-04-2000)

| Sl. No. | Village          | Police Station and Number | Tahsil/Sub Division | District/State | Area in Acres   | Remarks |
|---------|------------------|---------------------------|---------------------|----------------|-----------------|---------|
| 1.      | Chhendipada      | Chhendipada/73            | Angul               | Angul/Orissa   | 806.00          | Part    |
| 2.      | Chhotā Tentuli   | Chhendipada/48            | Angul               | Angul/Orissa   | 635.43          | Full    |
| 3.      | Chhotā Golagadia | Chhendipada/50            | Angul               | Angul/Orissa   | 351.72          | Full    |
| 4.      | Golagadia Jungle | Chhendipada/51            | Angul               | Angul/Orissa   | 399.09          | Full    |
| 5.      | Kankurpal        | Chhendipada/66            | Angul               | Angul/Orissa   | 320.72          | Part    |
| 6.      | Nanguli          | Chhendipada/49            | Angul               | Angul/Orissa   | 346.75          | Full    |
| 7.      | Mamuriasahi      | Chhendipada/71            | Angul               | Angul/Orissa   | 1394.67         | Full    |
| 8.      | Godapasi         | Chhendipada/72            | Angul               | Angul/Orissa   | 201.08          | Full    |
| 9.      | Bahalsahi        | Chhendipada/70            | Angul               | Angul/Orissa   | 420.18          | Full    |
| 10.     | Gohirapasi       | Chhendipada/69            | Angul               | Angul/Orissa   | 416.87          | Full    |
| 11.     | Dahibar          | Chhendipada 68            | Angul               | Angul/Orissa   | 523.23          | Full    |
| 12.     | Chhendipada PF   | Chhendipada               | Angul               | Angul/Orissa   | 580.00          | Part    |
| 13.     | Golagadia        | Chhendipada/53            | Angul               | Angul/Orissa   | 1025.59         | Full    |
| 14.     | Nanguli Jungle   | Chhendipada/67            | Angul               | Angul/Orissa   | 155.88          | Full    |
| 15.     | Khanguria        | Chhendipada 74            | Angul               | Angul/Orissa   | 90.91           | Full    |
| 16.     | Reserve Forest   | Chhendipada/74            | Angul               | Angul/Orissa   | 1177.60         | Part    |
| Total   |                  |                           |                     |                | 8845.72         |         |
|         |                  |                           |                     |                | (Approximately) |         |
|         |                  |                           |                     |                | or              |         |
|         |                  |                           |                     |                | 3579.814        |         |
|         |                  |                           |                     |                | Hectares        |         |
|         |                  |                           |                     |                | (Approx.)       |         |

## Boundary description

A—B The line starts from point 'A', which is the trijunction point of villages Bedaberana, Kankurapal and Reserve Forest. From here the line proceeds towards south east through village Kankurapal and touches the eastern boundary of this village at Point 'B'.

B—C—D From point 'B' the line moves towards south along the eastern boundary of village Kankurapal upto its south-east corner and then moves towards south-west along the northern and western bank of the 'nallah'/along the southern boundary of village Kankurapal, through Reserve Forest, eastern boundary of village Dahibar and eastern boundary of Chhendipada PF upto point 'C'. From here the line proceeds towards west through Chhendipada PF and village Chhendipada upto point 'D', which is the trijunction point of villages Chhendipada, Chhendipada jungle and Godapasi.

D—E—F From point 'D' the line proceeds towards north and north-west along the Western boundary of village Godapasi, southern and western boundary of village Mamuriasahi upto point 'E'. From here, the line moves towards north along the western boundary of villages Mamuriasahi and Chhotatentuli upto point 'F'. which is the trijunction point of villages Chhotatentuli, Nuapada and Nuapada jungle.

F—G—A From point 'F' the line moves towards east along the northern boundary of village Chhotatentuli and after crossing the 'nallah' moves towards north along the western boundary of village Golagadia upto point 'G', which is the trijunction point of villages Golagadia, Salakhaman and Nuapada jungle. From here the line moves towards east along the northern boundary of villages Golagadia, Golagadia jungle and Reserve Forest upto the starting point 'A'.

[No. 43015/15/2000-PRIW]

S. KRISHNAN, Dy. Secy.

नई दिल्ली, 4 दिसम्बर, 2000

का.आ. 2725.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन जारी की गई और भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii), तारीख 10 फरवरी, 1999 में प्रकाशित, भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का.आ. 94(अ) तारीख 10 फरवरी 1999 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में, जिसका माप 575.51 हैक्टर (लगभग) या 1422.09 एकड़ (लगभग) है, खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और खनिजों को तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और मध्य प्रदेश सरकार से परामर्श करने के पश्चात्, यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 575.51 हैक्टर (लगभग) या 1422.09 एकड़ (लगभग) मापवाली भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और खनिजों को तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने उन्हें ले जाने के अधिकार अर्जित किए जाने चाहिए।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न उक्त अनुसूची में वर्णित 575.51 हैक्टर (लगभग) या 1422.09 एकड़ (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और खनिजों को तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने उन्हें ले जाने के अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. एनईसीएन/बीएसजी/जीएम/वी एल जी/भूमि/235 तारीख 14 फरवरी, 2000 का निरीक्षण कलेक्टर, सरगुजा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कलकत्ता के कार्यालय में या, साऊथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) सीपत रोड, बिलासपुर-495006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

## अनुसूची

## बदौली परियोजना

## भटगांव क्षेत्र

जिला : सरगुजा (मध्य प्रदेश)

## खनन अधिकार

## राजस्व भूमि

| क्र.सं. | ग्राम का नाम | ग्राम संख्या | तहसील   | जिला   | क्षेत्र हैक्टर में | टिप्पणियां |
|---------|--------------|--------------|---------|--------|--------------------|------------|
| 1.      | पिडीया       | 235          | सूरजपुर | सरगुजा | 80.85              | भाग        |
| 2.      | कल्याण पुर   | 48           | सूरजपुर | सरगुजा | 282.06             | भाग        |

कुल : 362.91 हैक्टर

## आरक्षित वन भूमि

| क्रम सं. | उपखंड संख्या | रेंज       | डिवीजन        | क्षेत्र हैक्टर में | टिप्पणियां |
|----------|--------------|------------|---------------|--------------------|------------|
| 1.       | पी 17 ख      | अम्बिकापुर | दक्षिण सरगुजा | 91.96              | भाग        |
| 2.       | 10           | अम्बिकापुर | दक्षिण सरगुजा | 18.80              | भाग        |
| 3.       | 8            | अम्बिकापुर | दक्षिण सरगुजा | 101.84             | भाग        |

कुल : 212.60 हैक्टर

कुल योग : 575.51 हैक्टर (लगभग) या 1422.09 एकड़ (लगभग)

1. ग्राम पिडीया (भाग) में अर्जित किये गये प्लॉट संख्यांक :—

664(भाग), 665(भाग), 666 से 668, 669 9(भाग), 670(भाग), 735(भाग) 736(भाग), 739(भाग), 740(भाग) 743(भाग), 744 से 746, 747(भाग), 748, 749(भाग), 750(भाग), 753(भाग), 754(भाग), 755(भाग), 763 (भाग), 765(भाग), 766, 767, 768(भाग), 771(भाग), 772, 773, 774(भाग), 775(भाग), 776 से 797, 798(भाग), 810(भाग), 813(भाग), 814(भाग), 821(भाग), 834(भाग), 835(भाग), 836(भाग), 837(भाग), 838(भाग), 1290 (भाग), 1291(भाग), 1292, 1293(भाग), 1294(भाग), 1295 से 1297, 1298(भाग), 1313 (भाग), 1314 से 1316, 1317 (भाग), 1318 (भाग), 1319(भाग), 1326(भाग), 1327(भाग), 1329(भाग), 1330(भाग), 1331(भाग), 1332(भाग), 1333(भाग), 1334(भाग), 1335 से 1630.

2. ग्राम कल्याणपुर (भाग) में अर्जित किये गये प्लॉट संख्या —

1674(भाग), 1675(भाग), 1683(भाग), 1688(भाग), 1689(भाग), 1690(भाग), 1691(भाग), 1697(भाग), 1698(भाग), 1699(भाग), 1705(भाग), 1706(भाग), 1707(भाग), 1708, 1709(भाग), 1711 (भाग), 1797 (भाग), 1822(भाग), 1827(भाग), 1828(भाग), 1829 से 1837, 1838(भाग), 1839 से 2199, 2201 से 2374, 2375(भाग), 2376(भाग), 2378 (भाग), 2202/3226, 2201/3227

3. आरक्षित वन उपखंड में अर्जित किए गए संख्यांक (भाग) पी17ख (भाग), 10 (भाग), 8(भाग)

सीमा वर्णन :

क-ख-ग रेखा कल्याणपुर ग्राम और वन उपखंड संख्या 10 की सम्मिलित सीमा पर बिन्दु 'क' से आरंभ होती है, फिर वन उपखंड 10, 8 से होकर जाती हुई, ग्राम पिडीया में प्रवेश करती है, और प्लॉट संख्या 1291, 1290, 1293, 1294, 1298 से होकर जाती है और पुनः वन उपखंड संख्या 8 से होकर, तब प्लॉट संख्या 1313, 1326, 1319, 1318, 1317, 1326, 1329, 1330, 1331, 1332, 1327, 1333 से होकर जाती है और बिन्दु "ग" पर मिलती है।

ग-ग1 रेखा ग्राम पिडीया में प्लॉट संख्या 1333, 1334, 838, 837, 836, 835, 834, 821, 814, 813, 810, 798, 775, 664, 665, 669, 670, 765, 763, 768, 771, 774, 755, 754, 753, 750, 749, 747, 735, 736, 743, 740, 739 से होकर जाती है और ग्राम पिडीया तथा कल्याणपुर की सम्मिलित सीमा पर बिन्दु "ग1" पर मिलती है।

ग1-घ रेखा ग्राम कल्याणपुर में प्लॉट संख्या 1674, 1675, 1683, 1688, 1689, 1690, 1691, 1697, 1698, 1699, 1705, 1706, 1707, 1709, 1711, 1797, 1838, 1822, 1828, 1827, 2378, 2376, 2375 से होकर जाती है और बिन्दु "घ" पर मिलती है।

घ-च रेखा ग्राम कल्याणपुर में सड़क के साथ-साथ जाती है फिर वन उपखंड संख्या पी-17 ख से होकर जाती है और बिन्दु "च" पर मिलती है।

च-व-छ रेखा ग्राम कल्याणपुर में सड़क के साथ-साथ जाती है और वन उपखंड संख्या 10 से होकर जाती है और बिन्दु "छ" पर मिलती है।

छ-ज-क रेखा वन उपखंड संख्या 10 से होकर जाती है फिर ग्राम कल्याणपुर की भागतः पूर्वी और दक्षिणी सीमा से होकर जाती है और आरंभिक बिन्दु "क" पर मिलती है।

[सं. 43015/14/96-एल एस डब्ल्यू/पी आर आई डब्ल्यू]

एस. कृष्णन, उप सचिव

New Delhi, the 4th December, 2000

S.O. 2725—Whereas by the notification of the Government of India in the then Ministry of Coal number S.O. 94(E), dated the 10th February, 1999, issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act 1957 (20 of 1957) (hereinafter referred to as the said Act), and published in Part-II, Section 3, sub-section (ii) of the Gazette of India, Extraordinary dated the 10th February, 1999, the Central Government gave notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 575.51 hectares (approximately) or 1422.09 Acres (approximately), in the locality specified in the Schedule appended to that notification:

And whereas the competent authority in pursuance of section 8 of the said Act, has made his report to the Central Government:

And whereas the Central Government after considering the aforesaid report and after consulting the Government of Madhya Pradesh, is satisfied that the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 575.51 hectares (approximately) or 1422.09 acres (approximately) described in the Schedule appended hereto; should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 575.51 hectares (approximately) or 1422.09 acres (approximately) described in the Schedule appended hereto are hereby acquired.

The Plan bearing No: SECL/BSP/GM(PLG)/Land/235 dated the 14th February, 2000 of the area covered by this notification may be inspected in the Office of the Collector, Surguja (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the South Eastern Coalfields Limited (Revenue Section) Seepat Road, Bilaspur-495 006 (Madhya Pradesh).

#### SCHEDULE

#### BADAULI PROJECT

#### BHATGAON AREA

#### DISTRICT : SURGUJA (MADHYA PRADESH)

#### MINING RIGHTS

#### REVENUE LAND

| Serial Number | Name of Village | Village Number | Tehsil   | Disirict | Area in hectare | Remarks                |
|---------------|-----------------|----------------|----------|----------|-----------------|------------------------|
| 1             | Pidiya          | 235            | Surajpur | Surguja  | 80.85           | Part                   |
| 2             | Kaljanpur       | 48             | Surajpur | Surguja  | 282.06          | Part                   |
|               |                 |                |          |          | <b>TOTAL</b>    | <b>362.91 hectares</b> |

## RESERVED FOREST LAND

| Serial Number | Compartment Number | Range     | Division      | Area in hectares | Remarks |
|---------------|--------------------|-----------|---------------|------------------|---------|
| 1             | P 17 B             | Ambikapur | South Surguja | 91.96            | Part    |
| 2             | 10                 | Ambikapur | South Surguja | 18.80            | Part    |
| 3             | 8                  | Ambikapur | South Surguja | 101.84           | Part    |
| TOTAL:        |                    |           |               | 212.60 Hectares  |         |

GRANT TOTAL : 575.51 Hectares (Approximately)

OR 1422.09 Acres (Approximately)

## 1. Plot Numbers acquired in Village Pidiya (Part)

664 (Part), 665 (Part), 666 to 668 , 669 (Part), 670 (Part), 735 (Part), 736 (Part), 739 (Part), 740 (Part), 743 (Part), 744 to 746 (Part), 748, 749 (Part), 750 (Part), 753 (Part), 754 (Part), 755 (Part), 763 (Part), 765 (Part), 766, 767, 768 (Part), 771 (Part), 772, 773, 774 (Part), 775 (Part), 776 to 797, 798 (Part), 810 (Part), 813 (Part), 814 (Part), 821 (Part), 834 (Part), 835 (Part), 836 (Part), 837 (Part), 838 (Part), 1290 (Part), 1291 (Part), 1292, 1293 (Part), 1294 (Part), 1295 to 1297, 1298 (Part), 1313 (Part), 1314 to 1316, 1317 (Part), 1318 (Part), 1319 (Part), 1326 (Part), 1327 (Part), 1329 (Part), 1330 (Part), 1331 (Part), 1332 (Part), 1333 (Part), 1334 (Part), 1335 to 1630.

## 2. Plot Number acquired in Village Kalyanpur (Part)

1674 (Part), 1675 (Part), 1683 (Part), 1688 (Part), 1689 (Part), 1690 (Part), 1691 (Part), 1697 (Part), 1698 (Part), 1699 (Part), 1705 (Part), 1706 (Part), 1707 (Part), 1708 (Part), 1709, 1711 (Part), 1797 (Part), 1822 (Part), 1827 (Part), 1828 (Part), 1829 to 1837, 1838 (Part), 1839 to 2199, 2201 to 2374, 2375 (Part), 2376 (Part), 2378 (Part), 2202/3226, 1201/3227.

## 3. Reserved Forest Compartment Numbers acquired (Part) P17B (Part), 10 (Part), 8 (Part).

## BOUNDARY DESCRIPTION .

A—B—C Line starts from point 'A' on the common boundary of Kalyanpur village and forest compartment No. 10, then passes through forest compartment numbers 10, 8 entire in village Pidiya and passes through plot numbers 1291, 1290, 1293, 1294, 1298 again through forest compartment numbers 8 then through plot numbers 1313, 1326, 1319, 1318, 1317, 1326, 1329, 1330, 1331, 1332, 1327, 1333, and meets at point 'C'.

C—CI Line passes in village Pidiya through plot numbers 1333, 1334, 838, 837, 836, 835, 834, 821, 814, 813, 810, 798, 775, 664, 665, 669, 670, 765, 763, 768, 771, 774, 755, 754, 753, 750, 749, 747, 735, 736, 743, 740, 739, and meets on the common boundary of village Pidiya and Kalyanpur at point 'CI'.

CI—D Line passes in village Kalyanpur through plot numbers 1674, 1675, 1683, 1688, 1689, 1690, 1691, 1697, 1688, 1699, 1705, 1706, 1707, 1709, 1711, 1797, 1838, 1822, 1828, 1827, 2378, 2376, 2375 and meets at point 'D'.

D—E Line passes in village Kalyanpur along the road then passes through forest compartment number P-17B and meets at point 'E'.

E—F—G— Line passes in village Kalyanpur along the road then passes through forest compartment number 10 and meets at point 'G'.

G—H—A Line passes through forest compartment number 10, then partly Eastern and Southern boundary of village Kalyanpur and meets at the Starting point 'A'.

[No. 43015/14/96-LSW/PRIW]

S. KRISHNAN, Dy, Secy.

## पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 12 दिसम्बर, 2000

का. आ. 2726.— केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश राज्य में विद्यमान बरौनी-कानपुर उत्पाद पाइपलाइन के इलाहाबाद-कानपुर सेक्शन से लखनऊ तक पेट्रोलियम उत्पादों के परिवहन के लिए एक ब्रॉन्च पाइपलाइन इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से संलग्न अनुसूची में वर्णित भूमि में, जिसमें उक्त पाइपलाइन बिछाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन करना आवश्यक है ;

अतः, अब केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन), अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ जनसाधारण को उपलब्ध करा दिए जाने की तारीख से इक्कीस दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि के नीचे पाइपलाइन बिछाने के सम्बन्ध में आपत्ति लिखित रूप से श्री विजय बहादुर, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, विद्यमान बरौनी-कानपुर उत्पाद पाइपलाइन के इलाहाबाद-कानपुर सेक्शन से लखनऊ के लिए ब्रान्च पाइपलाइन, एन-29, ब्लॉक-बी, पनकी, कानपुर-208020 (उत्तर प्रदेश) को कर सकेगा।

अनुसूची

| तहसील - कानपुर        | जिला - कानपुर        | राज्य - उत्तर प्रदेश |    |          |
|-----------------------|----------------------|----------------------|----|----------|
| गाँव का नाम           | खसरा नं 0            | क्षेत्र              |    |          |
|                       |                      | हेक्टर               | आर | वर्गमीटर |
| 1                     | 2                    | 3                    | 4  | 5        |
| छतमरा                 | 526                  | 0                    | 00 | 96       |
| <u>तहसील - उन्नाव</u> | <u>जिला - उन्नाव</u> |                      |    |          |
| आटा                   | 889                  | 0                    | 17 | 59       |
| ओरहर                  | 220                  | 0                    | 02 | 41       |
|                       | 2165                 | 0                    | 16 | 11       |

| 1                    | 2                    | 3 | 4  | 5  |
|----------------------|----------------------|---|----|----|
| <u>तहसील- हसनगंज</u> | <u>जिला - उन्नाव</u> |   |    |    |
| मलावौ                | 587                  | 0 | 04 | 11 |
| अजगैन                | 941                  | 0 | 10 | 51 |
| <u>तहसील - लखनऊ</u>  | <u>जिला - लखनऊ</u>   |   |    |    |
| लोनहा                | 865                  | 0 | 09 | 43 |

[सं. आर.-31015/48/2000-ओ आर-1]

एस. चन्द्रशेखर, अवर सचिव

New Delhi, the 12th December, 2000

s. O. 2726.— Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products in the state of Uttar Pradesh, a branch pipeline to Lucknow from Allahabad-Kanpur Section of existing Barauni- Kanpur Product Pipeline should be laid by Indian Oil Corporation Limited;

And Whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of Petroleum and Mineral Pipelines (Acquisition of Right of User in Land ) Act, 1962 ( 50 of 1962 ), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri Vijay Bahadur, Competent Authority, Indian Oil Corporation Limited, Branch Pipeline to Lucknow from Allahabad-Kanpur Section of existing Barauni-Kanpur Product Pipeline, N-29, Block-B, Panki, Kanpur- 208 020 ( Uttar Pradesh



Schedule

| Tehsil - Kanpur | District- Kanpur | State - Uttar Pradesh |     |          |
|-----------------|------------------|-----------------------|-----|----------|
| Name of Village | Khasra No.       | Area                  |     |          |
|                 |                  | Hectare               | Are | Centiare |
| 1               | 2                | 3                     | 4   | 5        |

|           |     |   |    |    |
|-----------|-----|---|----|----|
| Chhitmara | 526 | 0 | 00 | 96 |
|-----------|-----|---|----|----|

Tehsil- UnnaoDistrict- Unnao

|      |     |   |    |    |
|------|-----|---|----|----|
| Atta | 889 | 0 | 17 | 59 |
|------|-----|---|----|----|

|       |      |   |    |    |
|-------|------|---|----|----|
| Orhar | 220  | 0 | 02 | 41 |
|       | 2165 | 0 | 16 | 11 |

Tehsil- HasanganjDistrict- Unnao

|         |     |   |    |    |
|---------|-----|---|----|----|
| Malawan | 587 | 0 | 04 | 11 |
|---------|-----|---|----|----|

|        |     |   |    |    |
|--------|-----|---|----|----|
| Ajgain | 941 | 0 | 10 | 51 |
|--------|-----|---|----|----|

Tehsil- LucknowDistrict- Lucknow

|       |     |   |    |    |
|-------|-----|---|----|----|
| Lonha | 865 | 0 | 09 | 43 |
|-------|-----|---|----|----|

[No -31015/48/2000 OR I]  
S. CHANDRASEKHAR, Under Secy.

नई दिल्ली, 13 दिसम्बर, 2000

का. आ. 2727.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की का.आ. संख्या 1026 तारीख 11 मई, 2000 द्वारा संशोधित अधिसूचना संख्यांक का. आ. 3612 तारीख 9 दिसम्बर, 1999 द्वारा उत्तर प्रदेश राज्य में विद्यमान बरौनी-कानपुर उत्पाद पाइपलाइन के इलाहाबाद-कानपुर सेक्शन से लखनऊ तक पेट्रोलियम उत्पादों के परिवहन के लिए एक ब्रान्च पाइपलाइन इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा बिछाने के प्रयोजन के लिए उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी :

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 01 जून, 2000 को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइन बिछाने के लिए उक्त भूमि अपेक्षित है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाय सभी विल्लंगमों से मुक्त, इंडियन ऑयल कार्पोरेशन लिमिटेड में निहित होगा।

### अनुसूची

| तहसील — कानपुर | जिला — कानपुर | राज्य — उत्तर प्रदेश |    |          |
|----------------|---------------|----------------------|----|----------|
| गाँव का नाम    | खसरा संख्या   | क्षेत्र              |    |          |
|                |               | हेक्टेयर             | आर | वर्गमीटर |
| 1              | 2             | 3                    | 4  | 5        |
| कुलगाँव        | 291           | 0                    | 01 | 50       |
|                | 292           | 0                    | 15 | 16       |
|                | 593           | 0                    | 07 | 01       |
|                | 904           | 0                    | 03 | 91       |
|                | 899           | 0                    | 11 | 43       |
|                | 897           | 0                    | 01 | 83       |
|                | 895           | 0                    | 09 | 38       |
|                | 898           | 0                    | 00 | 69       |
|                | 894           | 0                    | 11 | 90       |
|                | 997           | 0                    | 13 | 49       |
|                | 998           | 0                    | 07 | 81       |
|                | 994           | 0                    | 00 | 40       |

[सं. आर.-31015/16/99-ओ आर-1]

एस. चन्द्रशेखर, अवसर सचिव

New Delhi, the 13th December, 2000

S. O. 2727.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas Number S. O., 3612 dated the 9<sup>th</sup> December, 1999 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act) and amended vide No. S.O. 1026 dated 11<sup>th</sup> May, 2000 the Central Government declared its intention to acquire the right of user in lands specified in the Schedule appended to that notification for the purpose of laying of branch pipeline to Lucknow for the transport of petroleum products from Allahabad-Kanpur Section of existing Barauni-Kanpur Product Pipeline in the State of Uttar Pradesh by Indian Oil Corporation Limited ;

And whereas, copies of the said notification were made available to the public on 1<sup>st</sup> June, 2000 ;

And, whereas, the competent authority has under sub-section (1) of section 6 of the said Act has submitted his report to the Central Government ;

And, whereas, the Central Government has after considering the said report satisfied that the said land are required for laying of the pipelines for the transport of petroleum products ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification are hereby acquired for laying the pipeline ;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest from the date of publication of this declaration in the Indian Oil Corporation Limited, free from all encumbrances.

### Schedule

| Tehsil -Kanpur  | District - Kanpur | State - Uttar Pradesh |     |          |
|-----------------|-------------------|-----------------------|-----|----------|
| Name of Village | Khasra No.        | Area                  |     |          |
|                 |                   | Hectare               | Are | Centiare |
| 1               | 2                 | 3                     | 4   | 5        |
| Kulgaon         | 291               | 0                     | 01  | 50       |
|                 | 292               | 0                     | 15  | 16       |
|                 | 593               | 0                     | 07  | 01       |
|                 | 904               | 0                     | 03  | 91       |

| 1 | 2   | 3 | 4  | 5  |
|---|-----|---|----|----|
|   | 899 | 0 | 11 | 43 |
|   | 897 | 0 | 01 | 83 |
|   | 895 | 0 | 09 | 38 |
|   | 898 | 0 | 00 | 69 |
|   | 894 | 0 | 11 | 90 |
|   | 997 | 0 | 13 | 49 |
|   | 998 | 0 | 07 | 81 |
|   | 994 | 0 | 00 | 40 |

[No -31015/16/99 OR I]

S CHANDRASEKHAR, Under Secy

नई दिल्ली, 13 दिसम्बर, 2000

का. आ. 2728.—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जिला सूरत में हजीरा से जिला भरुच में दाहेज तक प्राकृतिक गैस के परिवहन के लिए गुजरात स्टेट पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को यह भी प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए उस भूमि में जिसमें ऐसी पाइपलाइन बिछाने का प्रस्ताव है और जिसका इस अधिसूचना से संलग्न अनुसूची में वर्णन किया गया है, उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जित करने के अपने आशय की घोषण करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, उस तारीख से, जिसको भारत के राजपत्र में, यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि के नीचे पाइपलाइन बिछाने के संबंध में लिखित रूप में आक्षेप सक्षम प्राधिकारी, गुजरात स्टेट पेट्रोलियम कार्पोरेशन लिमिटेड, ब्लाक नं. 15, दूसरी मंजिल, उद्योग भवन, सेक्टर नं. 11, गांधीनगर-382011, गुजरात को कर सकेगा ।

| जिला: भरुच<br>तालुक का नाम | गांव का नाम | सर्वेक्षण सं./खंड सं. | राज्य: गुजरात<br>क्षेत्र |     |           |
|----------------------------|-------------|-----------------------|--------------------------|-----|-----------|
|                            |             |                       | हेक्टर                   | आरे | सेन्टीआरे |
| (1)                        | (2)         | (3)                   | (4)                      | (5) | (6)       |
| वागरा                      | दहेज        | 518                   | 00                       | 11  | 40        |
|                            |             | 524                   | 00                       | 17  | 60        |
|                            |             | 522                   | 00                       | 26  | 00        |
|                            |             | 523                   | 00                       | 39  | 20        |
|                            |             | 528                   | 00                       | 27  | 40        |
|                            |             | 535                   | 00                       | 18  | 10        |
|                            |             | 534                   | 00                       | 09  | 30        |
|                            |             | रास्ता (जी.आई.डी.सी.) | 00                       | 09  | 00        |
|                            |             | 532                   | 00                       | 04  | 60        |
|                            |             | 565                   | 00                       | 27  | 60        |
|                            |             | 571                   | 00                       | 43  | 60        |
|                            |             | 572                   | 00                       | 45  | 60        |
|                            |             | 573                   | 00                       | 24  | 40        |
|                            |             | नाला(जी.आई.डी.सी.)    | 00                       | 01  | 00        |
|                            |             | 595                   | 00                       | 25  | 00        |
|                            |             | 596                   | 00                       | 21  | 50        |
|                            |             | 599                   | 00                       | 27  | 40        |
| अंकलेश्वर                  | सक्करपोर    | 397 / 1               | 01                       | 00  | 00*       |

\* अतिरिक्त क्षेत्र, जो पूर्व अधिसूचना सं. का. आ. 943 तारीख 02 मई, 2000 में सम्मिलित नहीं है।

[ सं. एल.-14014/4/99-जी पी (भाग-II) ]

सुनील कुमार सिंह, अवर सचिव

New Delhi, the 13th December, 2000

**S. O. 2728.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of natural Gas in the State of Gujarat from Hazira in District Surat to Dahej in District Bharuch, a pipelines should be laid by the Gujarat State Petroleum Corporation Limited;**

**And, whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification,**

**Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;**

**Any person interested in the lands described in the said Schedule may within twenty-one days from the date on which the copies of the notification, as published in the Official Gazette, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipelines under the land to The Competent Authority, Gujarat State Petroleum Corporation Limited, Block No. 15, 3<sup>rd</sup> Floor, Udyog Bhavan, Sector No. 11, Gandhinagar-382 011, Gujarat,**

| District : BHARUCH |                 |                       | State : Gujarat |     |         |
|--------------------|-----------------|-----------------------|-----------------|-----|---------|
| Name of Taluka     | Name of Village | Survey No. /Block No. | Area            |     |         |
|                    |                 |                       | Hectare         | Are | Centare |
| (1)                | (2)             | (3)                   | (4)             | (5) | (6)     |
| VAGRA              | DAHEJ           | 518                   | 00              | 11  | 40      |
|                    |                 | 524                   | 00              | 17  | 60      |
|                    |                 | 522                   | 00              | 26  | 00      |
|                    |                 | 523                   | 00              | 39  | 20      |
|                    |                 | 528                   | 00              | 27  | 40      |
|                    |                 | 535                   | 00              | 18  | 10      |
|                    |                 | 534                   | 00              | 09  | 30      |
|                    |                 | Road (GIDC)           | 00              | 09  | 00      |
|                    |                 | 532                   | 00              | 04  | 60      |
|                    |                 | 565                   | 00              | 27  | 60      |
|                    |                 | 571                   | 00              | 43  | 60      |
|                    |                 | 572                   | 00              | 45  | 60      |
|                    |                 | 573                   | 00              | 24  | 40      |
|                    |                 | Drain (GIDC)          | 00              | 01  | 00      |
|                    |                 | 595                   | 00              | 25  | 00      |
|                    |                 | 596                   | 00              | 21  | 50      |
|                    |                 | 599                   | 00              | 27  | 40      |
| ANKLESHWAR         | SAKKARPOR       | 397/1                 | 01              | 00  | 00*     |

\*Additional area not covered earlier in the Notification vide S.O.No. 943 dated 2nd May, 2000.

[No L-14014/4/99-GP(Vol. II)]  
S. K. SINGH, Under Secy

नई दिल्ली, 13 दिसम्बर, 2000

का. आ. 2729.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1771 और 1772 तारीख 01 अगस्त, 2000 के साथ पठित अधिसूचना सं. का. आ. 3386, 3390, 3395, 3375, 3379, 3380 और 3381 तारीख 11 नवम्बर 1999 द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, गुजरात राज्य में प्राकृतिक गैस के परिवहन के लिए, जिला सूरत में हजीरा से जिला भरुच में दाहेज तक इंडियन पेट्रोकेमिकल्स कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाये जाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को 1 और 2 फरवरी 2000 और 7 अगस्त 2000 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है

अतः अब, केंद्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और केंद्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह और निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केंद्रीय सरकार में निहित होने की बजाए, सभी विल्लिंगमों से मुक्त इन्डियन पेट्रोकेमिकल्स कारपोरेशन लिमिटेड, दाहेज, जिला: भरुच में निहित होगा।

### अनुसूची

जिला : सुरत

राज्य : गुजरात

क्षेत्र

| गाँव का नाम<br>(1) | तालुका (तेहसील)<br>का नाम<br>(2) | सर्वेक्षण सं./खंड संख्या<br>(3)  | हेक्टर<br>(4) | अवर<br>(5) | संन्दीआर<br>(6) |
|--------------------|----------------------------------|--|---------------|------------|-----------------|
| कदरामा             | ओलपाड                            | 162 - भाग  | 00            | 07         | 50              |
| अयेदरा             | "                                | 359 - भाग  | 00            | 20         | 58              |
|                    |                                  | अयेदरा माइनोर  | 00            | 04         | 40              |
| तलाद               | "                                | 80 (पुराना सर्वे नं ) भाग<br>खंड सं . 16 भाग<br>खंड सं . 165 और 167<br>के बीचमें | 00            | 17         | <del>74</del>   |
| वणकला              | चोर्यासी                         | सुरत-दांडी रास्ता  | 00            | 06         | 20              |
| असारमा             | "                                | 2/A-1 भाग  | 00            | 08         | 91              |
| इच्छापोर           | "                                | 758 - भाग  | 00            | 48         | 84              |
| कावास              | "                                | आइ ओ सी<br>एच पी सी एल रास्ता  | 00            | 95         | 81              |
|                    |                                  | ओ एन जी सी प्रेमाइसीम  | 09            | 57         | 50              |

[सं. एल.-14014/11/99-जी पी (भाग-V)]

सुनील कुमार सिंह, अवर सचिव

New Delhi, the 13th December, 2000

S. O. 2729.— Whereas by a notification of the Government of India Ministry of Petroleum and Natural Gas numbers S.O. 3386, 3390, 3395, 3375, 3379, 3380 and 3381 dated the 11th November, 1999 read with numbers S.O. 1771 and 1772 dated 1-08-2000 issued under sub-section (1) of section-3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule annexed to that notification for the purpose of laying pipelines for transport of Natural Gas in the State of Gujarat from Hajira in District Surat to Dahej in District Bharuch by the Indian Petrochemicals Corporation Limited;

And whereas, copies of the said Gazette Notification were made available to the public on 1st and 2nd February 2000 and 7th August, 2000, respectively.

And whereas, the Competent Authority has under sub-section (1) of section-6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule annexed to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section(4) of section-6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Indian Petrochemicals Corporation Limited, Dahej, District - Bharuch.

## SCHEDULE

DIST : SURAT

STATE : GUJARAT

| Name of Village<br>(1) | Name of Taluka<br>(2) | Survey/Sub Division or Block No.<br>(3)                                     | Area           |            |                 |
|------------------------|-----------------------|---|----------------|------------|-----------------|
|                        |                       |   | Hectare<br>(4) | Are<br>(5) | Centiare<br>(6) |
| Kadarama               | Olpad                 | 162 – Part  | 00             | 07         | 50              |
| Atodara                | "                     | 359 – Part  | 00             | 20         | 58              |
|                        |                       | Atodara Minor   | 00             | 04         | 40              |
| Talad                  | "                     | 80 (Old Survey No.)<br>Block no. 16 Part<br>Between Block nos.<br>165 & 167 | 00             | 17         | 74              |



| 1        | 2         | 3                | 4  | 5  | 6  |
|----------|-----------|------------------|----|----|----|
| Vankala  | Choriyasi | Surat-Dandi Road | 00 | 06 | 20 |
| Asarma   | "         | 2/A-1 Part       | 00 | 08 | 91 |
| Ichhapor | "         | 758 - Part       | 00 | 48 | 84 |
| Kawas    | "         | IOC + HPCL Road  | 00 | 95 | 81 |
|          |           | ONGC Premises    | 09 | 57 | 50 |

[No.L-14014/11/99- (Vol V)]  
S K. SINGH, Under Secy.

का. आ. 2730.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1456 और 1710 तारीख 28 जून, 2000 और 24 जुलाई 2000 के साथ पठित अधिसूचना सं. का. आ. 3400, 3401, 3403, 3404, 3371, 3363, 3364 3365 और 3366 तारीख 11 नवम्बर 1999 द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, गुजरात राज्य में प्राकृतिक गैस के परिवहन के लिए, जिला सूरत में हजीरा से जिला भरुच में दाहेज तक इंडियन पेट्रोकेमिकल्स कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाये जाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जन्तो को 20 और 27 जनवरी 2000 और 1 अगस्त 2000 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह और निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लिंगमों से मुक्त इन्डियन पेट्रोकेमिकल्स कारपोरेशन लिमिटेड, दाहेज, जिला: भरुच में निहित होगा।

## अनुसूची

जिला : भरुच

राज्य : गुजरात

क्षेत्र

| गाँव का नाम<br>(1) | तालुका (तेहसील)<br>का नाम<br>(2) | सर्वेक्षण सं./खंड संख्या<br>(3)                             | हेक्टर<br>(4)  | आर<br>(5)      | सेन्टीआर<br>(6) |
|--------------------|----------------------------------|---|----------------|----------------|-----------------|
| दहेज               | वागरा                            | 411 - भाग<br>412 - भाग<br>ग्रास पेच (कोमन वीलेज<br>बाठन्डी) | 00<br>00<br>00 | 57<br>39<br>07 | 03<br>20<br>40  |
| सुवा               | "                                | खाडी  | 00             | 02             | 50              |
| कोलीयाद            | "                                | 229 - भाग   | 00             | 28             | 55              |
| कल्लदरा            | "                                | 60 - भाग<br>भूखी खाडी                                       | 00<br>00       | 20<br>12       | 60<br>20        |
| कासवा              | <u>भरुच</u>                      | 43 - भाग  | 00             | 01             | 32              |
| रोहीड              | हंसोट                            | 362 - भाग   | 00             | 43             | 70              |
| कुडादरा            | "                                | हंसोट - कोसंबा रास्ता                                       | 00             | 04             | 60              |
| परवट               | "                                | डबळयु बी एम रास्ता<br>सुनेव से परवट तक                      | 00             | 04             | 53              |
| सुनेव कळल          | "                                | 537/2   | 00             | 15             | 45              |

[सं. एल.-14014/11/99-जी पी (भाग-V)]

सुनील कुमार सिंह, अवर सचिव

New Delhi, the 13th December, 2000

S. O. 2730.— Whereas by a notification of the Government of India Ministry of Petroleum and Natural Gas numbers S.O. 3400, 3401, 3403, 3404, 3371, 3363, 3364, 3365 and 3366 dated the 11th November, 1999 read with No. S.O. 1456 and 1710 dated 28.6.2000 and 24.7.2000 issued under sub-section (1) of section-3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule annexed to that notification for the purpose of laying pipelines for transport of Natural Gas in the State of Gujarat from Hajira in District Surat to Dahej in District Bharuch by the Indian Petrochemicals Corporation Limited;

And whereas, copies of the said Gazette Notification were made available to the public on 20th and 27th January, 2000 and 1st August, 2000, respectively.

And whereas, the Competent Authority has under sub-section (1) of section-6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule annexed to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section(4) of section-6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Indian Petrochemicals Corporation Limited, Dahej, District - Bharuch.

3299 GI/2000-12

**SCHEDULE****DIST : BHARUCH****STATE : GUJARAT**

| Name of Village<br>(1) | Name of Taluka<br>(2) | Survey/Sub Division<br>or Block No.<br>(3)  | Area           |            |                 |
|------------------------|-----------------------|---|----------------|------------|-----------------|
|                        |                       |   | Hectare<br>(4) | Are<br>(5) | Centiare<br>(6) |
| Dahej                  | Vagra                 | 411 - Part                                  | 00             | 57         | 03              |
|                        |                       | 412 - Part                                  | 00             | 39         | 20              |
|                        |                       | Grass Patch<br>(Common<br>Village Boundary) | 00             | 07         | 40              |
|                        |                       |   |                |            |                 |
| Suva                   | "                     | Khadi                                       | 00             | 02         | 50              |
| Koliyad                | "                     | 229 - Part                                  | 00             | 28         | 55              |
| Kaladara               | "                     | 60 - Part                                   | 00             | 20         | 60              |
|                        |                       | Bhukhi Khadi                                | 00             | 12         | 20              |
| Kaswa                  | Bharuch               | 43 - Part                                   | 00             | 01         | 32              |
| Rohid                  | Hansot                | 362 - Part                                  | 00             | 43         | 70              |
| Kudadara               | "                     | Hansot-Kosamba<br>Road                      | 00             | 04         | 60              |
| Parvat                 | "                     | WBM Rd. Sunev to<br>Parvat                  | 00             | 04         | 53              |
| Sunev Kalla            | "                     | 537/2                                       | 00             | 15         | 45              |

[No L-14014/11/99-GP(Vol V)]  
S. K. SINGH, Under Secy

## श्रम मंत्रालय

नई दिल्ली, 20 नवम्बर, 2000

का.आ. 2731.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू. इंडिया एश्योरेंस कं. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/-श्रम न्यायालय, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-11-2000 को प्राप्त हुआ था।

[सं.एल.-17012/6/92-आईआर(बी-II)]

सी. गंगाधरण, अवर सचिव

## MINISTRY OF LABOUR

New Delhi, the 20th November, 2000

S.O. 2731.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of New India Assurance Co. and their workman, which was received by the Central Government on 17-11-2000.

[No. L-17012/6/92-IR(B-II)]

C. GANGADHARAN, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Tuesday, the 7th November, 2000

## PRESENT:

K. Karthikeyan, Presiding Officer.

Industrial Dispute No 41/2000

(In the matter of the dispute for adjudication under Section 10(1)(d) and Sub-section 2(A) of the Industrial Disputes Act, 1947 between the Workman and the Management of New India Assurance Co., Chennai)

## BETWEEN

A. Manoharan

Workman/I Party

## AND

Asstt. General Manager,  
The New India Assurance Co.,  
Chennai.

Management/II Party

## APPEARANCES:

For the Workman—None.

For the Management—M/s. P. Sukumar and K. C. Krishnamurthy, Advocates.

## REFERENCE:

Order No. L-17012/6/92-IR(B-II) dated 23-3-2000 Government of India, Ministry of Labour, New Delhi.

This dispute, on coming up before me for final hearing on 1-11-2000, upon perusing the reference, Claim Statement, and Counter Statement and other material papers on record, the oral evidence let in on the side of the Management and the Workman/I Party remained absent all through and upon hearing the arguments of Thiru P. Sukumar, Advocate appearing for the Management and this dispute having stood over till this date for consideration, this Tribunal passed the following:—

3299 GI/2000—13.

## AWARD

This reference by Central Government in the exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 in respect of dispute between Shri A. Manoharan/Workman and New India Assurance Co. Ltd., Management, mentioned as schedule appended to the order of reference.

The schedule reads as follows:

“Whether it is a fact that the disputant Shri A. Manoharan had worked as Typist with the management of New India Assurance Company Ltd during the period from 13-2-1982 to 1-1-1987 and that he worked for more than 240 days in any preceding 12 months prior to his termination from service? And whether the action of the management in terminating the service of the disputant is justified and legal? If not justified, what relief is the disputant concerned entitled to?”

On receipt of this reference, this Industrial Dispute has been taken on file of this Tribunal on 4-8-2000 as Industrial Dispute No. 41 of 2000. Notices were ordered to be sent by Regd. Post to both the parties. On receipt of the notices, Claim Statement has been filed on behalf of the Workman/I Party and the Counsel appeared for Second Party filed the Counter Statement of the Management/II Party.

2. The averments in the Claim Statement of the Workman/I Party are briefly as follows:—

The Claimant was appointed as Typing Assistant on 10-6-1985 by the Branch Manager of Nagapattinam Branch of New India Assurance Co. Ltd. That Branch was opened at Nagapattinam in the year 1985. No order of appointment was issued by the Branch Manager so that the Claimant could not claim benefits which are provided under the Industrial Disputes Act. The claimant's work under the Management was involved of all typing and clerical work. The said work includes the preparation of policies, renewal of notices, correspondence, making entries in the registers and the preparation of statement giving particulars as to the premium. The claimant was paid a daily wage of Rs. 15 by the Management from 10-6-1985. The Claimant was paid daily wage as such till 10-2-1986. Then, he was paid a monthly wage of Rs. 200 from 11-2-1986. The Claimant was working under the Management from the date of appointment i.e. 10-6-1985 sincerely. His character and conduct were unquestioned by the Management, the Claimant has unblemished record of service under the Management. The Claimant had worked under the Management from 10-6-1985 to 31-12-1986 continuously for a period of more than two years without any break. During the employment under the Management, the Claimant worked to the entire satisfaction of all the concerned. As the Claimant was working under the Management as a Typist from 10-6-85 to 31-12-1986, he attained the status of Workman and the Claimant is entitled for absorption as regular employee under the Management concerned. But, the Management has terminated the services of the Claimant from 1-1-1987 without assigning any reason and without giving any order in writing so that the Claimant is kept away to Claim the benefits under the Industrial Disputes Act. The Claimant worked under the Management for more than a period of 240 days and therefore, the Management ought to have followed the procedures contemplated under Section 25(F) of the Industrial Disputes Act but they have not issued any notice. No procedure has been followed by the Management prescribed under Section 25(F) of the Industrial Disputes Act and the Claimant's service was terminated illegally. The claimant made a representation to the Management against the termination of his services and non-employment by the Management and claimed absorption as a regular employee under the Management on 31-1-1987, but the same was in vain. The Claimant worked under Mr. V. Scurirajan only. For a period from 13-2-82 to 9-6-85 and then he was employed by the Management from 10-6-85 onwards and the Claimant was terminated from services on 31-12-1986. During that period, the claimant was paid by the Management. Therefore, the claimant was the employee of the Management and the claimant was paid by the Management from 10-6-1985 to 31-12-1986 for period of 570 days. Therefore, the claimant is entitled for all the benefits of the regular employee of the Management, but the Claimant was denied the benefits of the other regular employees of the Management. After the termination from the Management Company, the Claimant had raised the Conciliation

proceeding before the Asst. Labour Commissioner (Central), Madras. The conciliation proceedings was initiated and conducted by the Asstt. Labour Commissioner (C) of Madras. The Claimant and the representatives of the Trade Union participated in that Conciliation proceedings. In that proceedings, the Management has stated that on perusal of their records, they find that the Claimant has worked for 162 days only spread over to 1985, 1986 and 1988 and that therefore, regularisation of the Claimant cannot be considered. In the documents kept by the Management, the Claimant's signatures are found and his initial for the preparation of work as 'A.N.N.' are also found. The handwritings of the Claimant's signature are also found in the said documents and on comparing the signatures of the Claimant and the signatures found in the documents kept by the Management, it can be concluded that the said documents are prepared by the Claimant and that he had worked from 10-6-1985 to 31-12-1986 under the Management Company. Though, the Claimant has asked the Management to produce those documents before the Conciliating Officer, the Management had refused to produce the said documents before him with the intention to defeat the claim of the Claimant for the absorption as regular employee in the Management and consequential benefits. The Management in their earlier statement dt. 9-9-1991 before the Asstt. Labour Commissioner (Central) the Management had stated that the Claimant was engaged for about 60 to 70 days as sub-staff on daily wage basis and was paid an amount of Rs. 15 per day and that the Claimant's services were dispensed with during 1986. Contradictory statements were made by the Management before the Asstt. Labour Commissioner (Central) with the bad intentions to defeat the claims of the Claimant for absorption. Though the documents are available with the Management, they failed to produce the same before the Asstt. Labour Commissioner (Central). From the non-production of the available records by the Management, an adverse inference has to be drawn. The termination without following the procedure and without giving notice is arbitrary action and it takes away fundamental right to life. The Claimant suffered a lot as he has been unemployed since termination by the Management. Hence, this Tribunal may be pleased to order reinstatement of the Claimant with the Management Company, New India Assurance Co. Ltd. as Typing Assistant. A direction may be given to the Management to pay all back wages and attendant benefits from 31-12-1986.

2. The averments in the Counter Statement of the Management, Second Party are briefly as follows:

The Claimant Workman is not entitled for regularisation by the Management Company as he has not worked continuously for more than 240 days as alleged by him. The Branch of the Management Company at Nagapattinam was opened in the year 1985 only. The Claimant was never appointed in the Management Company. The Second Party Management has not issued any appointment order to the Claimant Workman at any point of time. The Claimant was engaged during 1983-84 by one Mr. Sourirajan, Area Inspector at Nagapattinam in his individual capacity and the Claimant was paid moneys by the said Sourirajan from his own personal money in order to help the Claimant as he was assisting the Area Inspector in discharging his duties. The Second Party Management did not engage the Claimant workman during that period. Subsequently, on the formation of the Branch Office, the Claimant was engaged on daily wages basis at Rs. 15 per day. However, he did not serve the Company for 240 days continuously in a year. He has served only for 162 days on daily wages basis and the services were dispensed with as he was not entitled for regularisation. The Claimant's allegation that he continuously worked from 16-6-85 to 31-12-86 for the period more than 2 years was totally false since the claimant has continuously worked for 240 days, the Management Company need not follow the procedure as contemplated under Section 25 of the Industrial Disputes Act. There was no necessity to issue notice before termination. In view of non-entitlement for regularisation, the Second Party Management did not consider the representation of the Claimant for regularisation. The Claimant was never an employee of the Second Party Management and that the allegations that he worked for 570 days from 10-6-85 to 13-12-86 is denied and, therefore, the claim of the Claimant for regularisation and also for all the benefits of regular employee cannot be sustained before the conciliating authority. The Management has placed all the records and after duly verifying the documents, the

Management has also informed the Asstt. Labour Commissioner that the Claimant has worked for 162 days on daily wages basis. The Claimant has not made any prima-facie case for the claim of the relief and hence his claim is liable to be dismissed with cost.

When the matter was taken for enquiry, the Counsel for the Management with their witness alone present. The First Party Claimant was not present. There was no representation on his behalf. Even the Claim Statement of the First Party Claimant, has not been filed by him. Ever since the inception of this enquiry, the First Party Claimant has not turned up. No reason has been given for his non-appearance. No one also was present in all these hearings ever since the case has been taken on file, on behalf of the First Party Workman. The only witness for the Management, Mr. Sourirajan referred to both in the Claim Statement as well as in the Counter Statement has been examined as Management witness No. 1. Neither the First Party Claimant or anybody on his behalf as his representative, appeared in this Court and cross-examined the MW1. The Counsel for the Management also has informed the Court that the Management has no other evidence on their side and they have closed their evidence. Thus, the evidence given by MW1 remains un rebutted and unchallenged. The non-participation of the First Party Workman ever since the beginning for the enquiry in this Industrial Dispute clearly shows that he is not interested in prosecuting his clearly shows that he is not interested in prosecuting his judicate. The learned Counsel for the Management, Second Party has advanced his arguments.

3. The Point for my consideration is:—

Whether it a fact that the Disputant Shri A. Manoharan had worked as Typist with the management of New India Assurance Company Ltd. during the period from 13-2-82 to 1-1-1987 and that he had worked for 240 days in any preceding 12 months prior to his termination from service? And whether the action of the management in terminating the service of the disputant is justified and legal? If not justified, what relief is the disputant concerned entitled to?

4. Subsequent to the filing of Claim Statement through somebody into this Tribunal, the Claimant, First Party Workman has not chosen to appear before this Tribunal and prosecute his claim against the Second Party Management. He has remained absent for all the hearings for this case and no one on his behalf also has chosen to represent this case in this Tribunal. No reason also has been given for his non-appearance. None appeared on behalf of the Workman despite notice at the inception, and for several subsequent hearings after the filing of the Claim Statement on behalf of the Claimant. It appears that the Workman, the Claimant herein is not interested to pursue with the present reference.

5. When the case was posted for the Management to let in evidence first on 17-10-2000, there was no representation for the Claimant Workman besides he remained absent. So, the case was again adjourned giving another chance for Claimant to appear before this Tribunal and to prosecute this reference further. Accordingly, the enquiry was adjourned to 1-1-2000 finally. On that final hearing date also, the Claimant remained absent and there was no representation on his behalf. The Second Party Management with their Counsel present and informed the Tribunal that they are ready for enquiry. Under such circumstances, this Tribunal has decided to adjudicate this order of reference as an Industrial Dispute between the party concerned with the available pleadings on either side, and the evidence let in by the Management by examining one witness on their side as MW1. Because of the non-appearance of the Claimant for this enquiry, the witness examined by the Management has not been cross-examined on the side of the Claimant on the basis of the averments in the Claim Statement. Thus, the evidence given by MW1 remained un rebutted and unchallenged. The learned counsel for the Management after examining one witness as MW1 has informed the Tribunal that the Management has no further evidence to let in and their evidence is closed. Then the learned counsel advanced his arguments.

6. The Claimant Workman himself has stated in Para 7 of the Claim Statement that he worked under the then Area Inspector, Nagapatnam, Mr. V. Sourirajan from 1-2-1982 to 20-11-2000. The said Mr. Sourirajan has been examined as MW1. It is his evidence that when he worked as Inspector Grade I, he engaged the Claimant Manoharan to assist him as his assistant and he engaged him in his personal capacity and at that time there was no branch of New India Assurance Co. Ltd. at Nagapatnam and that the Branch Office at Nagapatnam was formed in 1985. This evidence is consistent to what the Claimant has stated in the Claim Statement. Further, he has deposed that it is incorrect to state that the Claimant was appointed as Typist in the Branch Office at Nagapatnam on 10-6-85 by the Area Branch Manager of that Branch. He would further say that the services of Manoharan were utilized for Branch Office at Nagapatnam as sub-staff to do odd duties as and when required and that he was not entrusted any clerical and typing work of the Branch Office. He would further say for such utilisation of services in the Branch Office, a remuneration of Rs. 15 was paid per day, by the Branch Office and he was not paid at any point of time, a monthly wage of Rs. 200. It is also his evidence that the Claimant was never appointed as a staff of Nagapatnam Branch Office and it is incorrect to state that his services were terminated on 31-12-1986 and that he worked under the New India Assurance Company Management for more than a period of 240 days continuously. All this evidence of MW1 contradicting the averments of the Claimant in his Claim Statement is remained unchallenged. His evidence is quite consistent to what that is stated as averments in the Counter Statement of the Second Party Management. Further, in support of the averments of the Claimant in his Claim Statement, no oral or documentary evidence available in this case. Under such circumstances, this Tribunal is left with the pleadings on either side and the oral evidence of MW1 only to decide the issue. So, on the basis of the available materials in this case, this Tribunal can come to the conclusion easily that the averments made by the Claimant which is unsupported by any evidence for the claim made are not true and hence, the stand taken by the Claimant Workman has not been proved for this Tribunal to grant a relief in his favour.

6. In view of the above findings, this Tribunal has come to the conclusion that the disputant, Shri A. Manoharan had not worked as Typist with the Management of New India Assurance Co. Ltd. during the period from 13-2-1982 to 1-1-87 and he had not worked for more than 240 days and since he was not at all employed by the Management as a staff of the Company, there is no question of his termination from service and the action as taken by the Management to terminate his service and such action of the Management is justified or not and hence the disputant concerned is not entitled to any relief whatsoever.

7. In the result, the reference is answered holding that the First Party Claimant is not entitled to any relief and as such no relief award is passed without cost.

Dictated to the Stenographer and typed by him direct and corrected and pronounced by me in the open court on this date, the 7th November, 2000.

K. KARTHIKEYAN, Presiding Officer

#### WITNESS EXAMINED

For Claimant/I Party : None

For Management/II Party : MW1—Sri V. Sourirajan

#### DOCUMENTS MARKED

For Claimant/I Party : None

For Management/II Party : None

नई दिल्ली, २१ नवम्बर, २०००

का.प्र. २७३२.— औद्योगिक विवाद अधिनियम, १९४७ (१९४७ का १४) की धारा १७ के अनुसूचन में, केन्द्रीय सरकार मसौदा सी. सी. एन. के प्रबंधन के संबंध निधो-जती और उनके कर्मचारियों के बीच, गुप्तता में निर्दिष्ट

औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सी. १, धनबाद के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को २०-११-२००० को प्राप्त हुआ था।

[न.एन.-२००१२/१/९५-आई.आर. (सी-१)]

एस.एस. गुप्ता, अवसर सचिव

New Delhi, the 21st November, 2000

S.O. 2732.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No-1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s C.C. Ltd. and their workman, which was received by the Central Government on 20-11-2000.

[No. L-200121/95-IR (C-1)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) (2A) of the Industrial Disputes Act, 1947.

Reference No 5 of 1996

#### PARTIES :

Employers in relation to the management of Swang Colliery of M/s. Central Coalfields Ltd.

AND

Their Workmen

#### PRESENT :

Shri Sarju Prasad,

Presiding Officer.

#### Appearances :

For the Employers : Shri B.P. Singh, Personnel Manager.

For the Workman : Shri R. K. Mishra,  
Authorised Representative.

State : Bihar.

Industry : Coal

Dated, the 9th November, 2000

#### AWARD

By Order No. L-200121/95 IR (Coal-I) dated the 27th December, 1995 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Swang Colliery of Central Coalfields Ltd., P.O. Swang, Dist. Bokaro in dismissing Shri R. K. Mishra from the service of the company w.e.f. 28-12-93 is justified? If not, to what relief the workman is entitled to?"

2. The brief facts, giving rise to this industrial dispute is that the concerned workman, R. K. Mishra was a Dumper Operator working at Swang colliery of M/s. C. C. Ltd. He was served with a chargesheet, Ext. M-1 alleging that on 3-3-93 at about 2.30 P.M. concerned workman along with some outsiders anti-social elements armed with lethal weapon and explosives unauthorisedly entered in the Officers' Colony, Swang Complex and pelted stones and arrows on the residential quarters of the executives and caused injury to Sri Narayan Das, Security Inspector, Jaramdih Colliery who was on duty there at that time. The concerned workman replied to the chargesheet denying the allegation and pleaded alibi.

According to him he received message of illness of his mother-in-law, therefore he applied for leave for 3-3-93 and 4-3-93 and proceeded to Ghazi to look after his ailing mother-in-law. He was not at Swang Colliery, therefore there is no question of committing any misconduct by him. The management did not find the reply of the concerned workman satisfactory, therefore a domestic enquiry was held in which the concerned workman was found guilty of the charge and accordingly he was dismissed from service with effect from 28-12-93. The concerned workman has pleaded that no information regarding domestic enquiry was given to him, therefore either no enquiry was held or it was held behind his back and therefore the domestic enquiry is farce.

The question of fairness and propriety of domestic enquiry was taken up as preliminary issue and by order dated 9-3-2000 it has been held to be unfair. The management was given opportunity to adduce evidence to justify its action and accordingly the management has examined three witnesses in support of its action.

3. Therefore, the point for consideration is whether the management's witnesses have proved the charges against the concerned workman and the second question is whether the punishment of dismissal is proportionate to the alleged misconduct?

#### 4. FINDINGS :

##### Point No. 1 :

The management has examined only three witnesses in this case in support of the case besides one witness examined by it during hearing on preliminary point regarding fairness of the domestic enquiry. So far MW-1 is concerned he is a formal witness on the point of fairness of domestic enquiry who has said nothing regarding the occurrence. MW-2 is S. M. Murtaza who was posted on 3-3-93 at Swang Coal Washery. He has come to say that on that day the main gate of the Swang Coal Washery was jammed by R. K. Mishra alongwith about 400 to 500 persons and they were not allowing the officers to enter into the coal washery through the main gate. Therefore the Project Officer of Swang Coal Washery informed the police. The police came there and arrested two sons of R. K. Mishra. Thereafter the mob dispersed therefrom, but after the police went away about 200 to 300 persons attacked the officers' colony of Swang Coal Washery at about 1-30 P.M. who were shouting slogans, carrying lethal weapons and they had damaged one vehicle of D.G.M.S. which was parked in front of quarters of one Sharma, an officer of D.G.M.S. They had opened an iron wheel of the jeep, threw away safety of the jeep. According to this witness out of the mob he could identify K. K. Mishra. In cross-examination he has stated that actually some young persons were throwing stones etc. and were doing excess violence and the concerned workman, K. K. Mishra was stopping them from doing excess violence and he took them outside the colony. Thus from the evidence of MW-2 the charges levelled against the concerned workman is not at all established, rather from his evidence it appears that it was the concerned workman who was stopping violent mob from doing violent act and was taking out the mob outside the colony. MW-3 R.K. Choudhary who was Superintending Engineer at Swang Washery has stated that on 3-3-93 there was some labour problem and the main gate of the washery was obstructed by R. K. Mishra by putting holders and branches of tree. Gomia Police was informed who came there, but Gomia Police could not disperse the mob, rather, the mob was so violent that they clashed with the police and injured the police officer and three vehicles were smashed. Later the police arrested some people including two sons of R. K. Mishra, thereafter the police left the place. Thereafter at about 1-30 P.M. the mob entered into the officers' colony shouting slogans and exploding crackers. The officers kept themselves looked inside their quarters due to fear. Thereafter he learnt that one Security Guard and one Security Inspector were injured and two vehicles of Dy Director of Mines Safety were damaged. He has said that in that mob the concerned workman was also there. From the evidence of this witness as well as from the evidence of MW-2 it is clear that M/s. C.C. Ltd. has not its colliery at Swang and as well as a washery also. The Project Officer of both the colliery and the washery are two different persons and their management is practically different. The concerned workman is a

workman of Swang Colliery. He is not a workman of Swang Coal Washery whereas the incident has taken place either at Swang Coal Washery or in the officers colony of Swang Coal Washery. None of the officer or workman of Swang colliery had come to say that the concerned workman has either abused them, threatened them or has taken any violence against them. Actually whatever violence is said to have been committed by the mob is against the Security Guard and Head Inspector and against the property of D.G.M.S. or the officers of Swang Coal Washery. The concerned workman is neither a workman of D.G.M.S. nor he is a workman of Swang Coal Washery. Therefore, it appears that the alleged misconduct has not been committed against the superior or co-worker of the concerned workman. The Certified Standing Order which has been issued by the management is that of M.C.D.C. which has merged in M/s. C. C. Ltd. According to the certificate the concerned workman has committed misconduct as defined under clause 17(r) and (t). Clause 17(r) is threatening, abusing or assaulting any superior or co-worker, whereas section 17(t) is preaching or inciting to violence. Thus, I find so far misconduct under Standing Order 17(r) is not at all made out in the present case because the concerned workman has not threatened, abused or assaulted any of his superior or co-worker i.e. the officer of Swang Colliery or any workman of Swang Colliery, therefore this clause is not applicable.

5. The last witness examined by the management is Naram Das who was Senior Security Inspector posted at Jairangdih Colliery on the alleged date of occurrence, who had been to Swang officers' colony. As per order of the Project of Jairangdih Colliery, he was said about the occurrence, but he has failed to name any of the person who was in the mob. He has not even identified the concerned workman in Court as a member of that mob.

6. Thus, from the material on record I find that although MW-2 and MW-3 have said that the concerned workman was in the mob but as per the evidence of MW-2 he was stopping the young persons in the mob from doing excess violence and he took away them out of the colony. Thus, it appears from the evidence of MW-2 that although the concerned workman was there in the mob but he was not inciting or prehearing violence, rather, he was preventing the young persons from committing excess violence. Therefore, in my opinion the punishment of dismissal appears to be a bit harsh and in my opinion the action of dismissal is not justified and the concerned workman is entitled to reinstatement, but in the circumstances of the case with only 50 per cent of back wages which will be sufficient punishment for taking part in the mob.

7. Therefore, in the result I render—

#### AWARD

That the action of the management of Swang Colliery of Central Coalfields Ltd. in dismissing the concerned workman is not justified. The management is directed to reinstate the concerned workman with 50 per cent of back wages and continuity of service, within 30 days from the date of publication of the award.

SARJU PRASAD, Presiding Officer.

नई दिल्ली, 21 नवम्बर, 2000

का.आ. 2733—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं.-1, धनवाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-2000 को प्राप्त हुआ था।

[सं.एल.-20012/(56)/93-आई.आर. (सी.-1)]

एम. एस. गुप्ता, सचिव



New Delhi, the 21st November, 2000

S.O. 2733.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. I, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCC Ltd. and their workmen, which was received by the Central Government on 30-11-2000.

[No. L-20012/(56)/93-IR(C-I)]

S. S. GUPTA, Under Secy.

### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of I.D. Act, 1947.

Reference No. 141 of 1994

#### PARTIES :

Employers in relation to the management of Kuya Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

#### PRESENT :

Shri Sarju Prasad, Presiding Officer.

#### APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri D. Mukherjee, Secretary, Biliar Colliery Kamgar Union.

STATE : Bihar

INDUSTRY : Coal

Dated, the 7th November, 2000

### AWARD

By Order No. L-20012(56)/93-I.R.(Coal-I) dated the 30th May, 1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the claim of Shri Ram Chandra Manjhi and 73 others (as per list enclosed) for regularisation of their services by the management of Kuya Colliery of M/s. B.C.C. Ltd. is legal and justified? If not, whether the concerned persons are entitled to any relief?"

2. The brief facts giving rise to this industrial dispute is that Shri D. Mukherjee as a Secretary, Bihar Colliery Kamgar Union, Temple Road, Purana Bazar, Dhanbad raised an industrial dispute before the Asstt. Labour Commissioner (Central), Dhanbad, demanding regularisation of Ram Chandra Manjhi and others. The A.L.C.(C) reconciliated and submitted failure report upon which the appropriate Government i.e. Central Government in the Ministry of Labour refused to refer the dispute. Thereafter a writ petition was filed before the Patna High Court, Ranchi Bench, which was numbered as CWJC No. 3856/93(R) and in pursuance of the order passed by the Hon'ble High Court the Central Government has been pleased to refer the present dispute.

3. The Secretary of the sponsoring union has filed a written statement on behalf of the concerned workmen Ram Chandra Manjhi and 73 others asserting that they have been performing permanent nature of job of truck loading at Kuya Colliery since long which is a permanent and prohibited nature of job. The management has not been making payment of wages as per recommendation of NCWA and the payment of wage is being made in lower rate in the name of imaginary intermediary in order to camouflage the matter. According to the

sponsoring union the job of coal loading in trucks or wagon has been prohibited by the Central Government by Notification of the year 1975 and therefore in such job no contractor can be engaged and the workmen concerned must be treated the workmen of the management. Therefore they are entitled for regularisation and payment of wages as per N.C.W.A with retrospective effect with all arrear of wages and consequential benefits.

The management of Kuya Colliery of M/s. B.C.C. Ltd. in its written statement-cum-rejoinder have asserted that there is no employer—employee relationship between the management and the concerned persons, as such no industrial dispute can be raised on behalf of the concerned persons, as such no industrial dispute can be raised on behalf of the concerned persons. According to them, all of them are job seekers and had never worked as truck loaders at Kuya Colliery either under the management of Kuya Colliery or under any contractor. According to the management, Shri D. Mukherjee who is a practising Advocate also had earlier raised dispute of 62 persons before the A.L.C.(C), Dhanbad by his letter dated 17-9-91 which ended in failure. But the Central Government by letter dated 16-3-94 refused to refer the dispute, but subsequently behind the back of the management the present dispute was referred adding 12 more persons to the previous list of 62 workmen. According to them, Shri D. Mukherjee himself being practising Advocate has taken advantage of provision of Section 36(4) of the I.D. Act, 1947 and raised objection for appearance of an Advocate with an idea for getting fabricated documents marked as exhibits in course of evidence and adopted various legal tactics to gain advantage against an officer of the company. According to the management, they have got their own pay loader to load coal in truck and wagon, therefore they do not require any coal loader and there is no question of engaging any contractor for doing the same job. The management according to the management all the concerned persons are nothing but job seekers and in order to get employment they have raised the present dispute on false and baseless allegations. However, the Central Government by Notification of the year 1975 has prohibited engagement of contractor for loading and unloading coal either in truck or in wagon except in case of temporary engagement due to failure of electric machine or irregular supply of railway wagons.

4. Thus, from the pleadings of the parties it is admitted that the job of loading of coal in trucks is a job in which engagement of contractor has been prohibited by Notification issued by the Central Government as early as of the year 1975 itself. Therefore if the management of Kuya Colliery has violated and has engaged any contractor for loading of coal in truck by the concerned persons then certainly as per the different pronouncement of our Apex Court such workmen shall be deemed to be the workmen of the management and they shall be entitled for regularisation. Reference may be made to the case of AIR India Statutory Corporation v. United Labour Union and others reported in 1997 L.L. 288. Thus, the position of law is very clear in this respect.

5. The only point to be decided is whether the concerned persons have ever worked in the job of loading of coal in trucks within the colliery premises of Kuya Colliery of M B.C.C. Ltd. either through contractor or under management.

#### 6. FINDINGS :

The management of Kuya Colliery in its written statement has categorically denied to have engaged any contractor for the job of loading of coal in trucks, the evidence of MW-1, Y. Jha is totally contradictory to the stand taken by the management. MW-1 has stated that he had worked as Agent at Kuya Colliery from 28-1-93 to 15-8-95. From his colliery sometimes back there was a transportation for F.C.I., Sindri and during that period the

were some truck loaders appointed by the Transporters who have already been regularised in the employment of M/s. B.C.C. Ltd. on the basis of an award passed by this Tribunal. He has admitted that loading of coal is within the prohibited category of job from February, 1975, which cannot be performed by the contractor's workers. Thus, it is apparent that certainly the management has engaged some Transport Agent for transporting of coal from coal depot at Kuya colliery to F.C.I., Sindri and the coal was loaded by contractor labourers. This is contrary to the stand taken by the management that never a contractor was engaged for loading coal at Kuya Colliery. Therefore, from the very admission of MW-1 it is clear that sometime back which period has not been specified by this witness, the practice of engaging contract labour for loading of coal was there at Kuya colliery which is a prohibited category of job since February, 1975 and contract labour cannot be engaged for loading of coal in truck. This witness has further admitted that prior to him one Ramesh Chandra was the Agent of that colliery. But he has shown his ignorance about lodging of an F.I.R. against some of the concerned workmen alleging therein that they were temporary truck loaders and they were obstructing BCCL from loading coal by pay loaders. The sponsoring union has filed the certified copy of the F.I.R. of that case, the copy of chargesheet and judgement passed by the Judicial Magistrate alongwith copy of deposition of Ramesh Chandra, Agent of the said colliery from which it is crystal clear that an F.I.R. was lodged against some of the concerned workmen alleging that they were temporary truck loaders. Although MW-1 has admitted that sometimes back there was a contractor engaged for transporting who was getting coal loaded in truck by his own labourers, but the management has not examined that contractor nor they have produced any paper showing who were the persons engaged by that contractor for loading of the coal. As per the provision of Contract Labour (Regulation and Abolition) Act, 1970 it is the duty of the principal employer to see that the contractor makes payment of proper wages to its labourers and the principal employer is bound to certify and witness such payment of wages. Therefore the management could have very well produced documents regarding payment of wages, by the so-called Transporting Contractor to show that none of the concerned persons have ever worked as a contract's labourer in loading of coal in truck. On the contrary, the MW-1 has stated that he does not know if till today loading of coal in truck is going on at Kuya colliery by the concerned persons in Depot No. 22. The concerned workmen have examined only one witness, Giridhari Bhuia, one of the concerned workmen who has said that he alongwith others are loading coal since 1986 at Depot No. 22 which is inside the colliery premises of Kuya Colliery. He has further stated that their work is being supervised by the management and equipments and articles are supplied by the management. They have worked for more than 240 days in a calendar year and work 8 hours daily. He has further stated that their attendance is being marked after loading 4.5 tonnes of coal. He has testified four Attendance-cum-payment registers which have been marked Exts. W-1 to W-1/3 and has said that the same bears signature of Deep Chand Agarwal and Moti Singh, Loading Clerks of the colliery. MW-1 has admitted that Moti Singh was Loading Clerk, but he has shown his ignorance about Deep Chand Agarwal and has stated that he does not know if he was a permanent employee of M/s. B.C.C. Ltd. From the registers Ext. W-1 to W-1/3 which also bear the signature of Loading Clerk, it is apparent that the concerned persons were doing the job of truck loading at Kuya Colliery. The management has stated that these registers are fabricated documents because Moti Singh and Deep Chand Agarwal are no longer in the service of M/s. B.C.C. Ltd. and the concerned workmen may have got their signature taking advantage of the fact that they have been superannuated. But actually there is no such evidence by the management to prove that those registers are manufactured one. Even if we ignore those registers Ext. W-1 to W-1/3 then also we have got admission of MW-1 regarding engagement of contract labour for loading of the truck and the sponsoring union has brought on record the F.I.R. lodged by the then Agent of the colliery, Ramesh Chandra and his evidence to show that he has described some of the concerned persons as temporary truck loaders. Since the management's own witness has admitted that there

was Transporting Contractor, therefore the management should have either examined that Transporting Agent or to have produced also registers of that Contractor to show that the concerned persons were never engaged by the Transporting Agent of the coal in the job of loading of coal in trucks. On the contrary the then Agent of the colliery has described some of the concerned persons as temporary truck loaders which support the claim of the concerned persons that they have worked as truck loaders at Kuya Colliery from 1986.

7. The management has further submitted that the management issues its employees Identity Card, Pay slips, appointment letter etc. but the concerned persons have not produced any such appointment letter, identity card or pay slip to show that they were the workmen of the management of Kuya Colliery. Actually the grievance of the concerned persons is for regularisation and they have clearly stated that in order to deprive them the benefits of regular employee they have not been provided with such appointment letter etc. and their wages is being paid through some imaginary intermediary to camouflage the real matter. Therefore, in my opinion such submission of the management does not hold good because the management in its own written statement has tried to suppress the real fact by stating that they have never engaged any contractor in the job of loading of coal in truck but its own witness who is the Agent of the colliery has admitted that the system of engagement of Transporting Agent was prevalent who was engaging its own labourers to load the coal in trucks. Thus from the very evidence of MW-1 it is clear that inspite of prohibition of engagement of contractor for loading of coal they have been engaging Transporting Agent to circumvent the real issue.

8. From the discussion made above I find that there is material to show that the concerned persons have been working in the job of loading of coal in truck which is a prohibited category of job and the management has nowhere pleaded that they were engaged for very brief period due to failure of electricity or machine or due to irregular supply of wagon, therefore they must be treated to be the employees of the management and they are entitled for regularisation as per the pronouncement of Apex Court in the case of Air India Statutory Corporation Vs. United Labour Union and others reported in 1997 I.L.R. 288. Accordingly this point is decided in favour of the sponsoring union.

Thus I find that the concerned persons are entitled for regularisation in the employment of the management of Kuya Colliery of M/s. B.C.C. Ltd.

5. Accordingly, I render —

#### AWARD —

That the concerned persons are entitled for regularisation as piece-rated workers Group-III and are entitled for payment of wages as per NCWA. Therefore, the management is directed to regularise them within 30 days from the date of publication of this award failing which the concerned workmen shall be entitled for wages of Group-III piece-rated workmen with interest from the date of this award. However, considering the financial condition of M/s. B.C.C. Ltd. the concerned persons shall not be entitled for back wages, however they shall be entitled for wages from the date of this award.

SARJU PRASAD, Presiding Officer

Annexure to the Ministry's Order No. L-20012(56)/93 IR (Coal-I) Dt. 30-5-94

## List of workmen

| Sl. No. | Workman's name    | Father's name        | Permanent Address  | Present Address |
|---------|-------------------|----------------------|--|-----------------|
| 1       | 2                 | 3                    | 4  | 5               |
| 1.      | Ramchandra Manjhi | Late Gopa Manjhi     | Vill. Amtal<br>P.S. Baliapur<br>P.O. Amtal<br>Dist. Dhanbad                  |                 |
| 2.      | Nidhilal Manjhi   | Late Senaram Manjhi  | -do-   |                 |
| 3.      | Nakul Rawani      | Fakir Rawani         | -do-   |                 |
| 4.      | Giridhari Bhuiya  | Gangwa Bhuiya        | Vill. Sindwari<br>P.O. Manjubar Hand<br>P.S. Eatkhori<br>Dist. Hazaribagh    |                 |
| 5.      | Baijnath Bhuiya   | Lt. Lalo Bhuiya      | Vill. Raja Daharmanga<br>P.O. Eatkhori<br>P.S. Eatkhori<br>Distt. Hazaribagh |                 |
| 6.      | Kapura Bavarin    | Lt. Hadiram Bavari   | Vill. Dhokra<br>P.O. Damodarpur<br>P.S. Baliapur<br>Dist. Dhanbad            |                 |
| 7.      | Badri Bavarin     | Lt. Khuru Bavari     | Vill. Amtal<br>P.O. Amtal<br>P.S. Baliapur<br>Dist. Dhanbad                  |                 |
| 8.      | Baisakhi Bavarin  | Husband-Nepal Bavari | -do-   |                 |
| 9.      | Bina Rai          | Lt. Jagat Rai        | -do-   |                 |
| 10.     | Shoshti Bavari    | Lt. Belu Bavari      | Vill. Dhokra Jobhithad<br>P.O. Damodarpur<br>P.S. Baliapur<br>Dist. Dhanbad  |                 |
| 11.     | Kishan Bavari     | Lt. Hadiram Bavari   | -do-   |                 |
| 12.     | Bachoni Bavari    | Dev Bavari           | Vill. Dubhiyamoko<br>P.O. Moko<br>P.S. Baliapur<br>Dist. Dhanbad             |                 |
| 13.     | Mishri Bhuiya     | Bideshi Bhuiya       | Vill. Khaich<br>P.O. Khaich<br>P.S. Sikandra<br>Dist. Munger                 |                 |
| 14.     | Krishna Bhuiya    | Lt. Jago Bhuiya      | Vill. Sunwar<br>P.O. Aliganj<br>P.S. Sikandra<br>Dist. Munger                |                 |
| 15.     | Kedar Bhuiya      | Lt. Mohan Bhuiya     | Vill. Koni<br>P.O. Eatkhori<br>P.S. Eatkhori<br>Distt. Hazaribagh            |                 |

| 1                         | 2                         | 3   | 4 | 5 |
|---------------------------|---------------------------|---|---|---|
| 16. Sibu Manjhi           | Lt. Matroo Manjhi         | Vill. Aamtal<br>P.O. Aamtal<br>P.S. Baliapur<br>Dist. Dhanbad         |   |   |
| 17. Bharata Bhiya         | Lt. Badari Bhuiya         | Vill. Islamnagar<br>P.O. Islamnagar<br>P.S. Sikandra<br>Dist. Munger  |   |   |
| 18. Nepal Bavari          | Lt. Fagu Bavari           | Vill. Laxmanpur<br>P.O. Laxmanpur<br>P.S. Huda<br>Dist. Purulia       |   |   |
| 19. Hemlal Soren          | Kalu Soren                | Vill. Dhokra<br>P.O. Damodarpur<br>P.S. Baliapur<br>Dist. Dhanbad     |   |   |
| 20. Ramchander Bhuiya     | Lt. Lakshu Bhiya          | Vill. Naromurar<br>P.O. Naromurar<br>P.S. Barosliganj<br>Dist. Navada |   |   |
| 21. Karma Manjhi (Hansda) | Lt. Vajan Manjhi (Hansda) | Vill. Bisuadih<br>P.O. Pokharia<br>P.S. Tundi<br>Dist. Dhanbad        |   |   |
| 22. Ghanshyam Bhogata     | Pitambar Bhogta           | Vill. Chandania<br>P.O. Badiabad<br>P.S. Begabad<br>Dist. Giridih     |   |   |
| 23. Devnath Savara        | Baratram Savara           | Vill. Khondar<br>P.O. Dhabra<br>P.S. Dhabra<br>Dist. Bilaspur         |   |   |
| 24. Rambharos Savara      | Prahalad Savara           | Vill. Aamontola<br>P.O. Aamontola<br>P.S. Malkhorda<br>Dist. Bilaspur |   |   |
| 25. Nandu Modi            | Lt. Nakul Modi            | Vill. Tada<br>P.O. Govindpur<br>P.S. Purulia<br>Dist. Purulia         |   |   |
| 26. Suresh Bhuiya         | Dahu Bhuiya               | Vill. Eathama<br>P.O. Sirari<br>P.S. Sekhpura<br>Dist. Munger         |   |   |
| 27. Pramod Bhuiya         | Lt. Mohan Bhuiya          | Vill. Koni<br>P.O. & P.S. Eatkhori<br>Dist. Hazaribagh                |   |   |
| 28. Shanti Mahatain       | Lt. Dhurva Mahato         | Vill. Makunda<br>P.O. Pargha<br>P.S. Baliapur<br>Dist. Dhanbad        |   |   |

| 1                      | 2                    | 3   | 4   | 5 |
|------------------------|----------------------|---|---|---|
| 29. Kalavati Kumari    | Darbari Mahto        | Vill. Mokunda<br>P.O. Pargha<br>P.S. Baliapur<br>Dist. Dhanbad                |   |   |
| 30. Biriksha Bhuiya    | Bideshi Bhuiya       | Vill. Khaich<br>P.O. -do-<br>P.S. Sikandra<br>Dist. Munger                    |   |   |
| 31. Sudhir Bavari      | Lt. Suchad Bavari    | Vill. Dhokra Jobhithad<br>P.O. Damodarpur<br>P.S. Baliapur<br>Dist. Dhanbad   |   |   |
| 32. Sanjay Kumar Mahto | Prahalad Mahato      | Vill. Kuiya<br>P.O. Aamtal<br>P.S. Tisara<br>Dist. Dhanbad                    |   |   |
| 33. Vijay Mahato       | Gour Mahato          | Vill. Bhagarampur<br>P.O. Aamtal<br>P.S. Baliapur<br>Dist. Dhanbad            |   |   |
| 34. Bhagkani Rewani    | Lt. Hatipad Rewani   | Vill. Aamtal<br>P.O. Aamtal<br>P.S. Baliapur<br>Distt. Dhanbad.               |   |   |
| 35. Sufal Bavari       | Lt. Lobin Bavari     | Vill. Dhokra Jobhithad<br>P.O. Damodarpur<br>P.S. Baliapur<br>Distt. Dhanbad. |   |   |
| 36. Lakhana Manjhi     | Ravan Tudu           | Vill. Simrakuder<br>P.O. Halparvatpur<br>P.S. Ahiliapur<br>Distt. Giridih.    |   |   |
| 37. Anil Bavari        | Lt. Suchanand Bavari | Vill. Dhokra Jobhithad<br>P.O. Damodarpur<br>P.S. Baliapur<br>Distt. Dhanbad. |   |   |
| 38. Aditaya Kumar Da   | Goshati Da           | Vill. Kuiya<br>P.O. Aamtal<br>P.S. Tisara<br>Distt. Dhanbad.                  |   |   |
| 39. Arup Kumar Chand   | Mayour Chandra Chand | Vill. Hutmada<br>P.O. Hutmada<br>P.S. Purulia<br>Distt. Purulia.              |   |   |
| 40. Ramswarup Bhuiya   | Lakhan Bhuiya        | Vill. Kuradih<br>P.O. Mayarapur<br>P.S. Sikandra<br>Distt. Munger (Bihar).    | Vill. Kujama<br>P.O. Jharia[[<br>P.S. Tisara<br>Distt. Dhanbad (Bihar). |   |
| 41. Govind Bhuiya      | Devi Bhuiya          | Vill. Kuradih<br>P.O. Sikandra<br>P.S. Mayarapur<br>Distt. Munger (Bihar).    | Vill. Kujama<br>P.O. Jharia<br>P.S. Tisara<br>Distt. Dhanbad.           |   |

| 1   | 2                 | 3                  | 4   | 5  |
|-----|-------------------|--------------------|---|--|
| 42. | Dilip Bhuiya      | Budhan Bhuiya      | Vill. Sarsa<br>P.O. Lakhisram<br>P.S. Lakhisram<br>Distt. Munger (Bihar).   | Vill. Kujama<br>P.O. Jharia<br>P.S. Tisara<br>Distt. Dhanbad (Bihar) |
| 43. | Ram Prasad Bhuiya | Ramrup Bhuiya      | Vill. Manikpur<br>P.O. Aliganj<br>P.S. Sikandra<br>Distt. Munger (Bihar).   | —do—   |
| 44. | Jibu Bhuiya       | Chandu Bhuiya      | Vill. Kenuvi<br>P.O. Sikandra<br>P.S. Sikandra<br>Distt. Munger (Bihar).    | —do—   |
| 45. | Mahabir Bhuiya    | Lt. Munshi Bhuiya  | Vill. Suukar<br>P.O. Aliganj<br>P.S. Sikandra<br>Distt. Munger (Bihar).     | —do—   |
| 46. | Jogi Bhuiya       | Lt. Suku Bhuiya    | Vill. Hasora<br>P.O. Hascra<br>P.S. Shekhpura<br>Distt. Munger (Bihar).     | —do—   |
| 47. | Mahendra Bhuiya   | Lt. Dasrath Bhuiya | Vill. Kadhar<br>P.O. Kadhar<br>P.S. Kovakol<br>Distt. Navada (Bihar).       | —do—   |
| 48. | Birbal Bhuiya     | Ramrup Bhuiya      | Vill. Manikpur<br>P.O. Aliganj<br>P.S. Sinkandra<br>Distt. Munger (Bihar).  | —do—   |
| 49. | Sunder Bhuiya     | Lt. Rupan Bhuiya   | Vill. Prasama<br>P.O. Jomila<br>P.S. Sikandra<br>Distt. Munger (Bihar).     | —do—   |
| 50. | Kamu Bhuiya       | Lt. Baudha Bhuiya  | Vill. Kuradih<br>P.O. Madharapur<br>P.S. Sikandra<br>Distt. Munger (Bihar). | —do—   |
| 51. | Brahmadeo         | Brashspati Bhuiya  | Vill. Hariharpur<br>P.O. and P.S. Sikandra<br>Distt. Munger (Bihar).        | —do—   |
| 52. | Prem Bhuiya       | Jabi Bhuiya        | Vill. Konue<br>P.O. Sikandra<br>P.S. Sikandra<br>Distt. Munger (Bihar).     | —do—   |
| 53. | Ramnath Bhuiya    | Hardeo Bhuiya      | Vill. Manikpur<br>P.O. Aligarh<br>P.S. Sikandra<br>Distt. Munger (Bihar).   | —do—   |
| 54. | Baliram Bhuiya    | —do—               | —do—  | —do—   |

| 1   | 2                     | 3                       | 4  | 5  |
|-----|-----------------------|-------------------------|--|--|
| 55. | Dhanu Bhuiya          | Dahu Bhuiya             | Vill. Kaithama<br>P.O. Sirari<br>P.S. Shekhpura<br>Distt. Munger (Bihar).      | Vill. Kujama<br>P.O. Jharra<br>P.S. Tisara<br>Distt. Dhanbad (Bihar) |
| 56. | Kailash Bhuiya        | Baleshwar Bhuiya        | Vill. Saroni<br>P.O. Kovakol<br>P.S. Kovakol<br>Distt. Navada (Bihar).         | —do—   |
| 57. | Jairam Bhuiya         | Hardeo Bhuiya           | Vill. Manikpur<br>P.O. Aliganj<br>P.S. Sikandra<br>Distt. Munger (Bihar).      | —do—   |
| 58. | Sivdas Bhuiya         | Ramdhani Bhuiya         | Vill. Katani<br>P.O. Badraji<br>P.S. Kovakol<br>Distt. Navada (Bihar).         | —do—   |
| 59. | Chandmuni Majhiain    | Husband Lt. Gopal Majhi | Vill. Khethtad<br>P.O. and P.S. Baliapur<br>Distt. Dhanbad (Bihar).            | —do—   |
| 60. | Sunil Majhi (Hembram) | Mohan Manjhi (Hembram)  | —do—   |  |
| 61. | Hemlal Manjhi         | Kesar Manjhi            | —do—   |  |
| 62. | Kalibavari            | Murlibavari             | Vill. Aamtad<br>P.O. Bagmara<br>P.S. Baliapur<br>Distt. Dhanbad (Bihar).       |  |
| 63. | Arvind Kumar Mahato   | Shri Dhruvraj Mahato    | Vill. Koaridih (Shukhar)<br>P.O. Silphor<br>P.S. Sindrajora<br>Distt. Dhanbad. |  |
| 64. | Raj Kumar Rewani      | Lt. Muniki Rewani       | Vill. Temple Road Refujee<br>Market<br>P.O., P.S. and Distt. Dhanbad.          |  |
| 65. | Udya Kumar Pal        | Nand Gopal Pal          | Vill. Kuiya<br>P.O. Aamtal<br>P.S. Baliapur<br>Distt. Dhanbad.                 |  |
| 66. | Jhabu Das             | Majhalu Das             | —do—   |  |
| 67. | Samir Kumar Pal       | Arun Pal                | —do—   |  |
| 68. | Anup Kumar Aggarwal   | Satya Narayan Aggarwal  | Vill. Purana Bazar Marwadi<br>Durga Mandir<br>P.O., P.S., and Distt. Dhanbad.  |  |
| 69. | Ravi Kumar Das        | Gopal Das               | Vill. Kuiya<br>P.O. P.O. Aamtal<br>P.S. Baliapur<br>Distt. Dhanbad.            |  |
| 70. | Ramesh Kumar          | Mahato Kuwar Mahato     | —do—   | —do—   |
| 71. | Suresh Kumar Mahto    | Nepal Mahato            | Vill. Jhinjhi Pahari<br>P.O. and P.S. Katras<br>Distt. Dhanbad.                | —do—   |

| 1   | 2               | 3                   | 4   | 5  |
|-----|-----------------|---------------------|---|--|
| 72. | Naresh Hansda   | Jagdish Hansda      | Vill. & P.O. Pokharia<br>P.S. Dandi<br>Distt. Dhanbad.                  | Vill. Kuiya<br>P.O. Aamtal<br>P.S. Balapur<br>Distt. Dhanbad.  |
| 73. | Adhir Kumar Das | Lt. Kamala Kant Das | Vill. Gope Bandi<br>P.O. Dudhi Mokha<br>P.S. Badjoda<br>Distt. Bakunda. |  |
| 74. | Kanchan Mahato  | Lt. Baul Mahto      | Vill. Jhinjhi Pahari<br>P.O. Katras<br>P.S. Katras<br>Distt. Dhanbad.   | Vill. Kuiya<br>P.O. Aamtal<br>P.S. Baliapur<br>Distt. Dhanbad. |

नई दिल्ली, 21 नवम्बर, 2000

## AWARD

का.आ. 2734.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण सं.-1, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-2000 को प्राप्त हुआ था।

[सं.एल.-20012/76/89-आई.आर. (सी.-1)]

एस. एस. गुप्ता, अव्वर सचिव

New Delhi, the 21st November, 2000

S.O. 2734.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCC Ltd. and their workman, which was received by the Central Government on 20-11-2000.

[No. L-20012/76/89-IR(C-D)]

S. S. GUPTA, Under Secy.

## ANNEXURE

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947

Reference No. 175 of 1989

## PARTIES:

Employers in relation to the management of Loyabad Coke Plant of M/s. B.C.C. Ltd.

AND

Their Workmen.

## PRESENT:

Shri Sarju Prasad, Presiding Officer

## APPEARANCES:

For the Employers: Shri D. K. Verma, Advocate.

For the Workman: Shri D. Mukherjee, Advocate and Shri K. Chakraborty, Advocate.

STATE: Bihar.

INDUSTRY: Coal.

Dated, the 8th November, 2000

By Order No. L-20012/76/89-I.R. (Coal-I) dated the 15th November, 1989 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of Loyabad Coke Plant in dismissing Shri A. K. Bose, Bill Clerk, from service w.e.f. 5-3-88 is justified? If not, to what relief is the workman entitled?"

2. The brief facts giving rise to this industrial dispute is that the concerned workman, A. K. Bose, was a Bill Clerk posted at Loyabad Coke Plant. On 15-1-87 he drew a sum of Rs. 4,58,000 in five instalments from the Cashier for disbursement of wages to the workers. But he could not disburse this entire amount of Rs. 4,58,000. However, after 5 P.M. he returned a sum of Rs. 2,00,000 to Cashier and instead of depositing the entire balance amount he kept back a sum of Rs. 81,000 in his steel box. As per rules the concerned workman should have drawn a sum of Rs. 1,00,000 as first instalment and after disbursement of that amount he should have drawn the second or 3rd instalments. But he withdrew a sum of Rs. 4,58,000 in five instalments and could disburse wages amounting to Rs. 1,76,289 only. On the close of work after 5 P.M. he returned back a sum of Rs. 2,00,000, but he kept back a sum of Rs. 81,711 which he ought not have kept with him and as per rules of the company he should have deposited this amount also to the Cashier. He instead of depositing the amount kept a sum of Rs. 81,000 and odd without any sufficient reason and kept the amount in his steel box in the Time Office. In the morning of 16-1-87 it was reported to the management that the lock of Time Office has been broken and theft of money has been committed from the steel box of the concerned workman, A. K. Bose. The matter was reported to the police and during the investigation it came to light that out of Rs. 81,000 and odd a sum of Rs. 10,108 was still there in the steel box of the concerned workman and a sum of Rs. 71,603 was missing. Thus due to negligent action on the part of the concerned workman he has caused loss to the management to the extent of Rs. 71,603. It was further suspected that actually there was no theft but the concerned workman brought the Night Guard in his connivance and staged a drama of theft and mis-appropriated the sum of Rs. 71,603. Accordingly the management issued him a chargesheet dated 25-3-87 under signature of the Manager, Loyabad Coke Plant and the concerned workman was placed under suspension. The concerned workman replied to the chargesheet denying the allegation, but the management was not satisfied with his reply and constituted an enquiry to be conducted for the misconduct alleged in the chargesheet by Sri Dayanand Jha, Dy. Personnel Manager, Sijua Area. Accordingly domestic enquiry was held in which the concerned workman had participated. The management produced materials before the domestic enquiry. The concerned workman also gave his own statement and the Enquiry Officer submitted his report holding him guilty of the charges of Negligence, fraud, theft and causing loss and damage to the man-



agement. On this basis of the enquiry report the management or Loyabad Coke Plant dismissed the concerned workman. Against that dismissal the present dispute has been raised by the sponsoring union, United Coal Workers' Union.

3. In the written statement filed by the sponsoring union it has been asserted that the enquiry was not proper and fair and the finding of the Enquiry Officer is not based on the material available on record. It has been further asserted that the concerned workman is innocent. The management, on the other hand, has pleaded that the domestic enquiry was fair and proper and was conducted observing principles of natural justice. The concerned workman has never raised any objection regarding procedure of enquiry or against the Enquiry Officer during the course of enquiry. The management has also asserted that the concerned workman has been dismissed from service on the proved charge of negligence and misappropriation of company's money.

4. The fairness and propriety of the domestic enquiry was taken up as preliminary issue, but after the management produced the enquiry proceeding and examined its witness the lawyer of the concerned workman conceded that the enquiry conducted by the management is fair and proper.

Therefore the only point for consideration is:—

“Whether the finding of the Enquiry Officer; reappraisal of the evidence and material collected during the domestic enquiry, is just and reasonable? If so, whether the punishment of dismissal is appropriate to the misconduct committed by the concerned workman?”

5. Findings.—The concerned workman has admitted that on 15-1-87 he drew a sum of Rs. 4,58,000 in five instalments from the Cashier for disbursement of wages to the workmen of Loyabad Coke Plant. He has also admitted that no that day he could disburse only a sum of Rs. 1,76,289. He has further admitted that out of the residual amount he has returned a sum of Rs. 2,00,000 to the Cashier and rest amount of Rs. 81,000 and odd was not returned to the Cashier on his anticipation of disbursement of wages to the workmen of that Plant. But according to him, he went to deposit the remaining amount at 4.30 P.M. and expected to deposit rest amount in next one hour. But according to the Cashier and Peon attached to the Cashier; actually the concerned workman had not come to deposit the residual amount upto 5 P.M., then the Cashier, Baban Singh sent the peon, Baliram Mandal to the concerned workman, A. K. Bose who is also known as Khudu Babu at about 4.30 P.M., but yet the concerned workman did not come to deposit the amount then he had again went to him to remind at about 4.45 P.M. and ultimately the concerned workman came to the Cashier at 5.15 P.M. having closed the payment and deposited a sum of Rs. 2,00,000. After that it was 5.30 P.M. i.e. the office hour was over. Therefore, the concerned workman was not all expected to keep back a sum of Rs. 81,000 and odd with him against the rule of the company, therefore, he was negligent and he has unreasonably retained a sum of Rs. 81,000 and odd with him. Although there is no direct evidence that actually there was no theft and the concerned workman has misappropriated a sum of Rs. 71,000 and odd the circumstantial evidence shows that the story of theft is totally unpalatable. It is admitted that even after the so-called theft a sum of Rs. 10,108 was still lying in the steel box of the concerned workman and only a sum of Rs. 71,603 was stolen away. This creates doubt in the story of theft. Had there been a genuine theft then the thief or thieves must have taken away entire amount from that box and they would not have been generous in leaving out a sum of Rs. 10,000 or odd in that box. Although from the evidence and materials collected during the domestic enquiry I find that the finding of the Enquiry Officer regarding negligence and causing loss to the extent of Rs. 71,000 and odd to the company due to wilful negligence on the part of the concerned workman is well proved. But so far the charge of theft, fraud or misappropriation is concerned, it not proved to the full satisfaction of a judicial scrutiny. However, the story of theft as stated by the concerned workman and the Night Guard is also not very much convincing. In any case it is well proved that the concerned workman has retained a sum of Rs. 81,000 and odd without any reasonable excuse with his possession which he ought to have deposited to the Cashier and thus by his such action he has caused a loss of Rs. 71,000 to the management. However, it appears that

subsequently some fund was raised by subscriptions of the workmen of the Coke Plant and a sum of Rs. 22,000 was deposited, yet the concerned workman cannot be exonerated from the charge of misconduct of causing loss to the company by his wilful negligence at least. Even if the charge of misappropriation or theft against the concerned workman is not proved, but the story of theft is also not convincing and, therefore, the concerned workman has certainly lost faith of the management. Therefore, in my opinion, such a workman cannot be thrust upon the management and in my opinion the dismissal of the concerned workman is perfectly justified.

6. Accordingly I render—

#### AWARD

That the action of the management of Loyabad Coke Plant is perfectly justified in dismissing the concerned workman and he is not entitled to any relief.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 21 नवम्बर, 2000

का.आ. 2735.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स वी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं.-1, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-2000 को प्राप्त हुआ था।

[सं.एल.-20012/(174)/91-आई.आर. (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 21st November, 2000

S.O. 2735.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 20-11-2000.

[No. L-20012/(174)/91-IR(C-I)]

S. S. GUPTA, Undsr Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947

Reference No. 145 of 1991

#### PARTIES:

Employers in relation to the management of Bhatdee Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

#### PRESENT:

Shri Sarju Prasad, Presiding Officer.

#### APPEARANCES:

For the Employers: Shri H. Nath, Advocate.

For the Workman: None.

STATE: Bihar.

INDUSTRY: Coal.

Dated, the 6th November, 2000

## AWARD

By Order No. L-20012(174)/91-I.R. (Coal-I) dated, the 3rd December, 1991 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management in effecting superannuation of Shri Banmali Hazari, Attendance Clerk of Bhatdee Colliery in Mohuda Area No. 2 of Bharat Coking Coal Ltd. w.e.f. 23-12-90 is justified? If not, to what relief the workman is entitled?"

2. This reference case was fixed on 25-2-1997 for hearing of arguments on merit in presence of both parties. But since then neither the sponsoring union nor the concerned workman is taking any step, though several adjournments were given. Even today neither the sponsoring union nor the concerned workman is present. It, therefore, appears that neither the sponsoring union nor the concerned workman is interested to prosecute the case further.

3. Under such circumstances I render a 'No Dispute' award in the present industrial dispute.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 22 नवम्बर, 2000

का.ग्रा.2736.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न रेलवे, कोटा के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण कोटा के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2000 को प्राप्त हुआ था।

[सं.एल.-41011/06/96-आई.ग्रार. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 22nd November, 2000

S.O. 2736.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Kota as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Western Railway, Kota and their workman, which was received by the Central Government on 21-11-2000.

[No. L-41011/06/96 IR (B-I)]

AJAY KUMAR, Desk Officer

अनुबंध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राज./

—00—

पीठासीन अधिकारी—श्री महेश चन्द्र भगवती, आर.एच.जे. एस.

निर्देश प्रकरण क्रमांक : औ.न्या./केन्द्रीय/-1/98

दिनांक स्थापित : 2-2-98

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल. 41011/06/96/आई.ग्रार. (बी) दि. 13-1-98

निर्देश अन्तर्गत धारा 10(1)(घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

डिविजनल सेक्रेटरी पश्चिम रेलवे कर्मचारी परिषद, कोटा।

—प्रार्थी श्रमिक यूनियन

एवं

चीफ वर्क्स मैनेजर, वेस्टर्न रेलवे, वेगन रिपेयर शांप, कोटा।

अप्रार्थी नियोजक

उपस्थित

प्रार्थी श्रमिक यूनियन की ओर से प्रतिनिधि :— श्री ए. डी. ग्रीवर

अप्रार्थी नियोजक की ओर से प्रतिनिधि :— श्री.एस.-के. सिन्हा

अधिनिर्णय दिनांक : 24-10-2000

: अधिनियम :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा अपने उक्त आदेश दि. 13-1-98 के जरिये निम्न निर्देश-विवाद अनुसूची, औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम" से संबोधित किया जायेगा) की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :—

"Whether the action of the Chief Works Manager, Kota in transferring the workman S/Shri S. W. Patil, S. K. Nigam, Onkar M., G. R. Bhatnagar, Saikh like Ahmed, Tejsingh, Virendra Dev and Durga Prasad Chargemen Grade II in the Fitter Trade ignoring the promotions of Shri Prabhu Dayal and Ram Khiladi who were originally working as chargemen Grade 'B' in the retvetting trade is fair and justified? If not, what relief these concerned workman are entitled to?"

2. निर्देश विवाद अनुसूची इस न्यायाधिकरण से प्राप्त होने पर पंजीबद्ध उपरान्त दोनों पक्षों को सूचना जारी की गयी जिस पर दोनों पक्षों की ओर से अपनी-अपनी उपस्थिति न्यायाधिकरण में दी गयी।

3. आज पत्रावली प्रार्थी पक्ष की ओर से क्लेम स्टेटमेंट प्रस्तुत किये जाने हेतु नियत थी परन्तु उनकी ओर से कोई क्लेम स्टेटमेंट प्रस्तुत नहीं किया गया व ना ही प्रार्थी-गण श्रमिक न्यायाधिकरण में उपस्थित हुए हैं। पत्रावली के अवलोकन से प्रकट होता है कि प्रार्थीगण के विद्वान प्रतिनिधि को अनेकों अवसर दिये गये किन्तु उनकी ओर से कोई क्लेम स्टेटमेंट प्रस्तुत नहीं किया गया, इससे स्पष्ट है कि कि प्रार्थी पक्ष को इस वाद में कोई हचि नहीं है। अतः क्लेम के अभाव में सम्प्रेषित निर्देश-विवाद प्रार्थीगण के विरुद्ध एवं अप्रार्थी के पक्ष में अधिनिर्णित किया जाता है।

इस अधिनिर्णय को समुचित सरकार को नियमानुसार प्रकाशनार्थ भिजवाया जावे।

महेश चन्द्र भगवती, न्यायाधीश,

नई दिल्ली, 24 नवम्बर, 2000

का.आ. 2737:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया, आगरा के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-11-2000 को प्राप्त हुआ था।

[सं.एल.-12012/27/2000-आई.आर. (बी.-I)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 24th November, 2000

S.O. 2737.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India, Agra and their workman, which was received by the Central Government on 23-11-2000.

[No. L-12012/27/2000-IR(B-I)]

AJAY KUMAR, Desk Officer

## ANNEXURE

BEFORE SRI R. P. PANDEY, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, SARVODYA NAGAR,  
KANPUR

Industrial Dispute No. 55 of 2000  
In the matter of dispute between—

Sri Ram Gopal  
Dy. Chief General Secretary.  
All India State Bank Backward Classes Staff Association  
219/4 Gali No. 5, Firozabad

AND

The Assistant General Manager,  
State Bank of India,  
Region No. III,  
Zonal Office Agra.

## AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification no. L-12012/27/2000/IR(B-I) dated 28/30-6-2000 has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of State Bank of India Branch Shikohabad in not giving promotion to Sri Chandra Shekhar, Sweeper is legal and justified? If not to what relief the workman is entitled to?

2. In the present case after receipt of the reference order registered notice was sent to the Union for filing of the statement of claim on behalf of the workman on 17-8-2000 fixing 21st September, 2000 as a date of hearing in the case. On 21-9-2000 neither any office bearer of the union nor workman concerned appeared in the case nor filed statement of claim. Once again notice was sent to the union on 26-9-2000 fixing 8-11-2000 as a date in the case but again none appeared from the side of the union nor any information was received. Therefore in these circumstances it appears that the union is not interested in pursuing the present case.

3. In view of the above discussions this tribunal is left with no other option but to hold that the union which has espoused the cause of the workman is not interested in pursuing the case. The reference is decided against the workman for want of pleading and proof.

4. Reference is answered accordingly.  
10-11-2000.

R. P. PANDEY, Presiding Officer

नई दिल्ली, 24 नवम्बर, 2000

का.आ. 2738:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया भोपाल के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-11-2000 को प्राप्त हुआ था।

[सं.एल.-12012/283/97-आई.आर. (बी.-I)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 24th November, 2000

S.O. 2738.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India, Bhopal and their workman, which was received by the Central Government on 23-11-2000.

[No. L-12012/283/97-IR(B-I)]

AJAY KUMAR, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)

No. CGIT/LC/R/131/98

Presiding Officer : Shri K. M. Rai  
Shri Suresh Chandra Verma  
Mahatma Gandhi Marg,  
Near Mahavir Lodge,  
Sujalpur Mandi,  
Distt. Shahajpur (MP)

Applicant

Versus

State Bank of India,  
Through Chief General Manager,  
SBI Local Head Office,  
Hoshangabad Road,  
Bhopal

Non-applicant

## AWARD

Delivered on this 15th day of November, 2000

1. The Government of India, Ministry of Labour vide order No. L-12012/283/97-IR.B.I dated 30-6-98 has referred the following dispute for adjudication by this tribunal—

"Whether the action of the management of State Bank of India in not regularising and also terminating the services of Shri Suresh Chandra Verma w.e.f. 20-5-97 is justified? If not, what relief the workman is entitled for?"

2. Parties to the dispute arrived at a settlement and accordingly the applicant filed an application for passing award in terms thereof. In terms of settlement, the State

Bank of India shall provide permanent employment in the Bank to the workman Shri Suresh Chandra Verma within one month from the date of award. The workman shall not be entitled to the back wages. Parties shall bear their own cost. The dispute is accordingly finally settled.

3. Copy of award be sent to the Govt. of India, Ministry of Labour as per rules.

K. M. RAI, Presiding Officer

नई दिल्ली, 24 नवम्बर, 2000

का.आ. 2739:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्दन रेलवे, लखनऊ के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-11-2000 को प्राप्त हुआ था।

[सं. एल०-41012/286/99-आई.आर. (बी.-I)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 24th November, 2000

S.O. 2739.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway, Lucknow and their workman, which was received by the Central Government on 23-11-2000.

[No. L-41012/286/99-IR(B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

BEFORE SRI R. P. PANDEY, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, SARVODAYA NAGAR,  
KANPUR

Industrial Dispute No. 44 of 2000

In the matter of dispute between—

The Divisional Organization Secretary,  
Uttar Railway Karamchari Union,  
MO Harchandpur Garhi Kanaora  
Premvati Nagar Takiya Walace Masjit  
PO Manaknagar, Lucknow.

AND

The Divisional Mechanical Engineer (P)  
Northern Railway Hazratganj,  
Lucknow.

#### AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-41012/286/99/IR(B-I) dated 24-3-2000, has referred the following dispute before this tribunal for its adjudication—

Whether the action of Railway Management was justified in not giving promotion to Mohd. Saleem after adjusting in the panel of 1982-83? If not, to what relief the workman is entitled?

2. In the present case the authorised representative vide his application dated 21-8-2000 and 19-9-2000 had sought adjournment in the case on one pretext or the other for filing the statement of claim on behalf of the workman. Finally the case was taken up for hearing on 23-10-2000 but neither the authorised representative put his appearance in the case nor filed statement of claim. Therefore from

the above conduct of authorised representative for the workman it appears that he is not interested in pursuing his case otherwise he would have certainly filed his statement of claim.

3. In view of above discussions, I have no option but to hold that the workman is not entitled for any relief as the authorised representative for the workman is not interested in pursuing the case. Hence the reference is answered in negative against the workman for want of pleadings and proof.

Dt. 10-11-2000.

R. P. PANDEY, Presiding Officer

नई दिल्ली, 22 नवम्बर, 2000

का.आ. 2740:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट ऑथोरिटी ऑफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-2000 को प्राप्त हुआ था।

[सं. एल.-11012/39/99-आई.आर. (बिबिब)]

बी.एम. डेविड, अवसर सचिव

New Delhi, the 22nd November, 2000

S.O. 2740.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, Chennai, as shown in the Annexure, in the industrial dispute between the employers in relation to the Airport Authority of India and their workmen which was received by the Central Government on the 22nd November, 2000.

[No. L-11012/39/99-IR(Misc.)]

B. M. DAVID, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
CHENNAI

Thursday, the 9th November, 2000

PRESENT :

K. Karthikeyan, Presiding Officer.

Industrial Dispute No. 2/2000

(In the matter of the dispute for adjudication under Section 10(1)(d) and Sub-section 2(A) of the Industrial Disputes Act, 1947 between their Workman and the Management of Airports Authority of India, Chennai Airport, Chennai).

## BETWEEN

P. Balashanmugam Workman/I Party

## AND

The Airport Director, Management/II Party  
Airports Authority of India,  
(International Airport Divn.)  
Chennai Airport,  
Chennai-600027.

## APPEARANCE :

For the Workman—M/s. U. Padmanabhan &  
K. G. Gajendiran, Advocates.

For the Management—M/s. Vijaya Narayan &  
R. Parthiban, Advocates.

## REFERENCE :

Order No. L-11012/39/99/IR(M) dt. 24-5-2000  
Government of India, Ministry of Labour,  
New Delhi.

This dispute on coming up before me for final hearing on 7-11-2000, upon perusing the reference, Claim Statement, Counter Statement and other material papers on record and the documentary evidence let in on either side and upon hearing the arguments of Thiru Padmanabhan appearing for the Workman and Thiru Vijay Narayan, Advocate appearing for the Management and this dispute having stood over till this date for consideration, this Tribunal passed the following :—

## AWARD

This reference by Central Government in the exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 in respect of dispute between Sri P. Balashanmugam, Workman and Airports Authority of India, Chennai, Management, mentioned as schedule appended to the order of reference.

The schedule reads as follows :

"Whether the action of the Management of Airports Authority of India (IAD) in ordering dismissal from service of Shri P. Balashanmugam is justified? If not, to what relief the Workman is entitled?"

On receipt of this reference, the Industrial Dispute has been taken on file of this Tribunal on 26-6-2000 as Industrial Dispute No. 2 of 2000. Notices were ordered to be sent by Read. Post to both the parties. On receipt of the notices from this Tribunal both the parties appeared with their respective counsel and filed their respective Claim and Counter Statement.

1. The averments in the Claim Statement of the Workman/I Party are briefly as follows :

The Workman, First Party Thiru P. Balashanmugam (hereinafter referred to as the 'Petitioner') was employed as Sweeper under the Second Party Management, Airports Authority of India (hereinafter referred to as 'Respondent'). The petitioner studied upto 8th standard. His name was sponsored through Employment Exchange and appointed as Sweeper on 28-1-78 under the Respondent Management. He had put up 20 years of continuous service till 1998. His 3299 G/2000 15.

last drawn salary was Rs. 6,000 at the time of termination. The Respondent Management wholly owned by Government of India. The petitioner was one of the best sportsman and he participated on behalf of the Respondent in sports events conducted by All India Sports Meet. In all such events, he got many prizes and certificates. The petitioner was working under the control of the Supervisor viz. Mr. Samuel Rao and his duty is to make entry in the Duty Register. Sometime the said Samuel Rao failed to make entry in the Duty Register even though the petitioner was present in the duty and very often, he did not write the full name of the petitioner and he wrote only initial of the petitioner i.e. "P" in the Duty Register. This leads to create attendance problem. When the same thing has happened on 26-12-97, the petitioner asked the said Samuel Rao to write full name of the petitioner. He replied, "who are you to question me. You cannot do anything against me. If you ask anything, I will spoil your job, careful". The said Supervisor warned the petitioner and therefore, the petitioner informed the same to the Respondent, but no action was taken. While so, to the shock of this petitioner, an order of suspension dt. 8-1-98 was served on him. Subsequently, he was issued a charge memo dt. 19-2-98 containing certain charges. The petitioner through his written explanation dt. 6-4-98 denied all the charges levelled against him. The Respondent ordered for an enquiry and appointed Mr. Ashok Srivastava, Sr. Airport Manager working under the Corporation as Enquiry Officer. The Enquiry Officer conducted an enquiry without following the principle of natural justice. The Enquiry Officer recorded the statement of the Management witnesses. But the Enquiry Officer did not allow the delinquent/petitioner to cross-examine the Management witnesses. The documents said to have been filed by the Management in the enquiry were not shown to the delinquent employee and the copy of the complaint was not given to him. The petitioner was not examined and he was not permitted to give evidence. The Enquiry Officer failed to get the signature in each and everyday's enquiry. But, he directed the petitioner to sign on one day i.e. the last day of all proceedings. The Enquiry Officer did not provide the copy of the enquiry report. The Enquiry Officer conducted the enquiry proceedings only in English. The delinquent raised an objection but the Enquiry Officer failed to record it. The Enquiry Officer did not call upon the delinquent to lead evidence on his side. But, closed the evidence on the Management side, abruptly. Thus, the enquiry is vitiated and it is not fair and proper. The Enquiry Officer arrived at his conclusion only on the basis of the statement of the Management witness in the enquiry. On the basis of the unfair and one sided enquiry, the perverse findings of the Enquiry Officer, the disciplinary authority passed an order of removal from service of the petitioner. The Respondent failed to give second show-cause notice and personal hearing before imposing major punishment. The petitioner raised an Industrial Dispute before the Regional Labour Commissioner, Chennai. Due to non-cooperation of the Respondent, the Asst. Labour Commissioner (C) sent a failure report to the Ministry of Labour, New Delhi. The Respondent failed to consider the 21 years of continuous service of the petitioner/past records before imposing major punishment of dismissal from service. The petitioner

is the bread winner of the family and a Ceylon repatriate who has to maintain the family with great difficulty. The punishment imposed on the petitioner is disproportionate to the charges levelled against him. The petitioner had no experience in participating in the enquiry and he did not know English. The enquiry was conducted in English and he was asked to sign the proceedings. Hence, this Tribunal may be pleased to hold that the enquiry is not fair and proper and may be pleased to reduce or set aside the termination order of the Respondent and to hold that the non-employment of the petitioner as not justified and pass an award directing the Respondent to reinstate the petitioner with continuity of service, back wages and other attendant benefits.

2. The averments in the Counter Statement of the Management, Second Party, the Respondent herein, are briefly as follows:—

The petitioner entered the services of IAAI as Sweeper. He was placed under suspension w.e.f. 8-1-98 under Sub-regulation (1) of Regulation 23 of IAAI Employees (Conduct, Discipline and Appeal) Regulations 1987 under Office Order dt. 8-1-98 and was charge sheeted under the Regulation 28 of IAAI (i) Employees (Conduct, Discipline and Appeal) Regulations, 1987 under memo dt. 23-2-98 for the articles of charges/acts of misconduct, mentioned there in. Since the petitioner denied all those six charges, the disciplinary authority had ordered an enquiry to enquire into the charges framed against the petitioner. As per the enquiry report submitted by the Enquiry Officer, on conclusion of the enquiry proceedings, all the said charges have been proved except the charge of commission of an act which amounts to criminal offence and involving moral turpitude. On perusal of the Service Record of the petitioner, it is evident that the petitioner had committed similar offences earlier. The petitioner was charge-sheeted on 1-7-1987 for his acts of misconduct. While the enquiry was in progress for the said charges/acts of misconduct, the petitioner was placed under suspension on 18-11-88 under an order dt. 18-11-1988 and charge-sheeted on 16-12-88 for his acts of misconduct. The petitioner under his letter dt. 20-12-88 and 24-5-89 admitted the charges and submitted categorical apology, requesting to pardon him with assurance that the petitioner will not give rooms for such complaints in future. On careful consideration of all the facts, though the charges were of serious nature which had been proved and considering the petitioner's past record and the petitioner deserve major penalty of dismissal from services of IAAI (i) under IAAI employees (Conduct, Discipline and Appeal) Regulations 1987. However, keeping in view the petitioner's submission in his letters dt. 20-12-88 and 24-5-89, the then Disciplinary Authority took a lenient view and awarded the punishment of reduction in his Basic Pay from Rs. 577 to Rs. 465 in the scale of pay of Rs. 465 to Rs. 785 w.e.f. 1-6-89. The petitioner, then, requested a copy of the enquiry report which was supplied to the petitioner. On 2-3-91, while the petitioner was on Casual Leave, entered into the Workshop at about 11.30 hrs and abused a co worker using unparliamentary language. The petitioner was warned severely. However again on 13-6-91 at about 15.20 hrs, the petitioner misbehaved with the co-workers under the influence of liquor and threatened and beaten

the co-workers. Since the petitioner was going out of control, the matter was reported to Meenambakkam Police Station. Again, on 13-1-92, the petitioner was placed under suspension and charge-sheeted under memorandum dt. 14-1-92 for his acts of misconduct. An enquiry was conducted to enquire into the above charges. While the enquiry was in progress, the petitioner was again charge-sheeted on 3-8-92 for his further acts of misconduct. Both the enquiries were conducted through the same enquiry and Enquiry Officer. While the charges levelled against the petitioner under memorandum dt. 14/22-1-92 were proved and though a charge levelled in the memorandum dt. 3-8-92 was not proved, the then Disciplinary Authority though observed that this was a fit case for termination of services under IAAI Employees (Conduct, Discipline and Appeal) Regulations, 1987, but giving a last opportunity to the petitioner, Sri Balashanmugam, took a lenient view and reverted the petitioner to the post of Sweeper at the minimum of scale under order dt. 10-6-93. The petitioner was also debarred from performing duty at the Terminal Building. The petitioner is a chronic alcoholic and he is a habitual offender and has not improved his conduct inspite of being punished several times and even after his categorical assurance to improve his conduct. The misbehaviour of the petitioner in the Terminal Building has brought down the image of the organization in the eyes of the public. The petitioner was earlier awarded two major penalties. Once his pay was brought to the minimum of the scale and the second time, he was reverted to his substantive post of Sweeper from the post of M.T. Helper. In spite of two major penalties, the petitioner has not improved his conduct. On going through the incident of the petitioner's misconduct, it was concluded that the petitioner's continuance in employment was detrimental to his co-workers safety since the petitioner has the tendency of threatening them physically. In spite of many opportunities given to the petitioner in his career, the petitioner has not improved his conduct and he is committing similar offences, time and again. Thus, the petitioner has forced the Disciplinary Authority left with no option, except to remove him from the service of the Authority under IAAI Employees (Conduct, Discipline and Appeal) Regulations, 1987 under order dated 14-12-1998. The petitioner's statement that "House Keeping" Supervisor failed to make entry in the Duty Register even though the petitioner was present and was writing 'P' alone in the Duty Register is incorrect. No such incident has happened as claimed by the petitioner. The petitioner has never informed about this to any of the Officers of the Authority or to the Enquiry Officer during the course the enquiry proceedings. The petitioner allegation that the enquiry was conducted without following the principles of natural justice is baseless and denied. Principles of natural justice were followed throughout the enquiry proceedings. The petitioner was allowed to cross-examine all the Management witnesses and the same was recorded in the enquiry proceedings. The documents filed by the Management were shown to the petitioner during the course of enquiry proceedings. The petitioner has not requested in writing for a copy of the document during the course of the enquiry proceedings. After completion of each enquiry proceedings, signatures were obtained from the individuals immediately. The enquiry was conducted in English only. The petitioner was

even asked to attend the enquiry proceedings along-with his Defence Assistant under note dt. 22-5-98. However, the petitioner refused the same under his letter dt. 2-6-98 that he himself will present his case. Shri Arul Justin Jayakumar, Assistant Grade-II (FC) who was recording the enquiry proceedings was advised to translate the proceedings for which the petitioner has also agreed. At no stage, the petitioner has raised any objection of this arrangement and neither submitted any application against the same. It is incorrect that the enquiry proceedings were closed abruptly. After cross-examination of Management Witness No. 7 by the petitioner on 23-7-1998, the petitioner was informed that the enquiry proceedings are concluded and the same was also recorded. The enquiry was conducted in a fair and impartial manner. The charges are framed on the basis of reports submitted by Shri C. Anandan, Caretaker, Shri Boda Yogendra, Executive House-Keeping, Dr. C. Gopalakrishna, Senior Medical Officer, Shri Tekram Bhasor and Shri A. D. Jadhav, Airport Managers which are mentioned in the enquiry report. Charges are based on the basis of the reports submitted by the said officials. The documents filed by the Management were shown to the petitioner during the course of enquiry proceedings and based on which only the petitioner has cross-examined the Management witnesses. The allegation of the petitioner contra to this is incorrect. The petitioner has never requested for a copy of any document in writing. The petitioner was allowed to cross-examine all the Management witnesses and the same is recorded in enquiry proceedings which was signed by the petitioner himself. Further, the petitioner was advised to attend the enquiry proceedings, alongwith his Defence Assistant. However, the petitioner refused to do so and submitted in writing in his letter dt. 2-6-98 that he will defend his case by himself. Sri Arul Justin Jayakumar, Assistant Grade-II (FC) who was recording the enquiry proceedings was advised to translate the proceedings to the petitioner for which the petitioner has also agreed. At no point of time during the course of enquiry proceedings, the petitioner has raised any objection to this arrangement. Dr. C. Gopalakrishna, Senior Medical Officer has submitted a medical report which clearly shows that the petitioner is smelling alcohol and non-cooperative. Based on the witness of the Senior Medical Officer and other officials, the Enquiry Officer has submitted his final report. The Enquiry Officer clearly indicated in his report that the charge of drunkenness by the petitioner was proved beyond reasonable doubt, during the course of the enquiry proceedings. The petitioner was given sufficient opportunities to improve his conduct. In spite of many opportunities given to the petitioner in his career, the petitioner has not improved his conduct and he has committed similar offences time and again which has necessitated the Disciplinary Authority left with no other option but to remove him from the services of the Airport Authority under IAAI Employee's (Conduct, Discipline and Appeal) Regulations, 1987. The enquiry findings were furnished to the petitioner. The enquiry was conducted fully in accordance with the principles of natural justice. However, if this Tribunal comes to the conclusion that the domestic enquiry was not fair or proper, the Management craves leave to let in evidence to sustain the charges against the petitioner before this Tribunal. There are no merits in the petition and the same is

liable to be dismissed. For these reasons, it is prayed that this Tribunal may be pleased to dismiss the petition and render justice.

3. When the matter was taken up for enquiry, the counsel for the petitioner claimant, has examined the petitioner and another witness for the petitioner in Chief. On that hearing, since the senior counsel for the respondent Management was not able to be present, the cross-examination of those two witnesses were postponed. Subsequently, the counsel for the management has filed a petition before this Tribunal requesting this Tribunal to decide the validity of the Domestic Enquiry held earlier by the Management against the Workman, the claimant herein. He also filed a memo to permit him to do the cross-examination of the witnesses examined on the side of the petitioner after a finding has been given with regard to the issue about the validity of the Domestic Enquiry conducted earlier by the Management against the employee, the claimant herein. Accordingly, permission was granted to him and the two witnesses for the petitioner, examined in chief, were not cross-examined by the counsel for the Management Respondent. Then, the matter was taken up for further enquiry. Nine documents were marked on the side of the petitioner as W1 to W9 and eleven documents were marked on the side of the Management Respondent as M1 to M11, and both the counsel have made endorsement that they have no oral evidence at present. Then, arguments of the counsel on either side were heard.

4. The Points for my consideration are :—

- (i) Whether the Domestic Enquiry conducted by the Management earlier was in a fair and impartial manner following the principle of natural justice?
- (ii) Whether the action of the management of Airport Authority of India (IAI) in ordering dismissal from service to Shri P. Balashanmugam is justified? If not to what relief the Workman is entitled?

Point (i) : This dispute relates to an order passed by the Second Party Management, the Airport Authority of India for dismissing the Workman, Shri P. Balashanmugam from service. That order of dismissal dt. 4-12-98 passed by the Airport Director is Ex. W9. The petitioner claimant admitting about the Domestic Enquiry conducted by the Department prior to the order passed by the Authority under Ex. W9 has alleged in his Claim Statement the Enquiry Officer conducted an enquiry without following the principles of natural justice. He would further contend that the Enquiry Officer recorded the statement of Management witnesses but he did not allow the delinquent petitioner to cross-examine the Management witnesses. It is also his contention that the documents said to have been filed by the Management were neither furnished nor shown to the delinquent employee and the enquiry, the copy of the complaint was not given. It is his further allegation that he was not examined and was not permitted to give evidence and that instead of getting his signature in the day's proceedings he was directed to sign in one day i.e. on the last day in all the day's proceedings and that he has not been provided with the copy of the enquiry report. It is his further contention that the enquiry proceedings were



conducted only in English inspite of the objection by the delinquent/petitioner and the Enquiry Officer had failed to record the objection. Further, the Enquiry Officer had abruptly closed the evidence on the Management side without calling upon the delinquent to lead evidence on his side. The Enquiry Officer arrived at his conclusion only on the basis of the statement of Management witnesses in the enquiry and hence, it is vitiated and not fair and proper.

5. The Respondent Management in their Counter Statement has denied all these allegations of the Claimant as incorrect. They have clearly stated that the enquiry was conducted following the principles of natural justice and the petitioner was allowed to cross-examine all the Management witnesses and the same was recorded in the enquiry proceedings. Though, the petitioner has not requested in writing for a copy of the document during the course of the enquiry proceedings, the documents filed by the Management were shown to him and that after completion of each day's enquiry proceedings conducted in English, signatures were obtained from the individuals immediately. It is also the contention in their Counter, the Grade-II Assistant, Sri Arul Justin Jayakumar who recorded the enquiry proceedings translated the proceedings to the delinquent/petitioner. At no stage, he raised any objection for this arrangement and neither submitted any application against the same. After the cross-examination of Management witness No. 7 by the petitioner on 23-7-98, the petitioner was informed that the enquiry proceedings are concluded and the same was recorded. Thus, the enquiry was conducted in a fair and impartial manner. So, in support of these allegations to show that there was a fair and impartial Domestic Enquiry following the principles of natural justice by the Enquiry Officer, the Management relied upon the documents filed as exhibits M10 and M11, the enquiry proceedings with annexures and the enquiry report dt. 24-9-99, respectively. In the first page of the enquiry proceedings for the enquiry conducted on 23-2-98, which contains the signature of the delinquent/petitioner, it is clearly mentioned that the Enquiry Officer in the presence of the Presenting Officer has asked the delinquent/petitioner after explaining the charges levelled against him in Tamil language by Sri P. Arul Justin Jayakumar, Assistant Grade-II and that the delinquent/petitioner replied that he understood the charges well, but, denied the same of having committed. A perusal of the entire enquiry proceedings with its annexure under Ex.M10, clearly shows that the recording of the proceedings, though in English were translated to the delinquent/petitioner and explained to him by Sri P. Arul Justin Jayakumar in Tamil language. For all those day's proceedings, the signature of the delinquent/petitioner has also been obtained alongwith the other persons in that particular day's proceedings. From this, it is clearly seen that the allegation of the Claimant Petitioner, that the Enquiry Officer failed to get the signature in every-day's enquiry is incorrect. Further, it is seen from the enquiry report that each day's enquiry conducted in English was translated to the delinquent/petitioner in Tamil language by the one official, Sri P. Arul Justin Jayakumar and for that there is endorsements available to that effect for each day's proceedings with the signature of the said official alongwith the signature of the delinquent/petitioner. From this, it can be concluded that the delinquent/petitioner is in no

way handicapped because of the proceedings were conducted in English by the Enquiry Officer. Further, nothing is available on record to show that any objection has been raised by the delinquent/petitioner for the proceedings to be conducted in English by the Enquiry Officer since the delinquent/petitioner does not know English.

6. The learned counsel for the Management has argued that the stand taken by the Claimant Petitioner that the Enquiry Officer conducted the enquiry without following the principles of natural justice and that he recorded the statement of Management witnesses and did not allow the delinquent/petitioner to cross-examine the Management witnesses are all false in view of the materials available in the enquiry report, Ex.M11. It is also his argument that the delinquent/petitioner herein has cross-examined some other witnesses of the Management as it is seen from the enquiry report. A perusal of the enquiry report, Ex.M11 shows that all the witnesses for the Management were examined in the presence of delinquent/petitioner and for the correctness of the statements of the witnesses recorded in his presence, the delinquent/petitioner also subscribed his signature under each such recording of evidence, stating that the statement made above is recorded correctly. It is seen from the enquiry report that after the Chief Examination of Management witnesses were completed, the delinquent/petitioner present during that enquiry, was asked by the Enquiry Officer as to whether he wants to cross-examine that witness concerned. For that, the delinquent has informed the Enquiry Officer that he did not want to cross-examine the witnesses. Anandan, Caretaker, Samuel Rao, Caretaker and the same has been recorded by the Enquiry Officer. Further, the enquiry report shows that the delinquent has cross-examined the Management witnesses, Mr. Boda Yogendra, Executive House-Keeping, Mr. Gopalakrishna, Medical Officer, Mr. A. D. Jadhav Sr. Airport Manager, Mr. Tekram Bhasor, Airport Manager. From this, it is seen that the allegation of the delinquent/petitioner against the Enquiry Officer that he was not allowed to cross-examine the Management witnesses and that he was prejudiced since the entire enquiry was conducted in English as he does not know English and the enquiry was not conducted in a fair and impartial manner and it is against natural justice are all false.

7. A perusal of the enquiry report further shows that no written objection was given by the delinquent to the Enquiry Officer objecting to the enquiry being conducted in English. It is also not his averment in the claim statement that the mention of the entire proceedings conducted in English was translated to the delinquent in Tamil language by one official, Sri P. Arul Justin Jayakumar is false and no such assistance was given to him. It is also seen from the enquiry report that the averment of the petitioner in his Claim Statement that the Enquiry Officer abruptly closed the enquiry after examining the Management witnesses is false. On the other hand, there is entry in the enquiry proceedings itself by the Enquiry Officer to that effect that the delinquent employee informed him that he has no witnesses. Further, it is seen from Ex.W5, the memorandum dt. 19/23-2-98 which is also Ex.M8 that the delinquent was asked to submit his written statement of defence within 15 days of the receipt of that memorandum. For that, the delinquent/petitioner



has submitted his written statement, the original of Ex. W3. Under Ex. W6, notice by the Enquiry Officer to the delinquent/petitioner, it is informed that the delinquent can nominate his defence assistant if any, to defend his case and he has to attend the enquiry proceedings with his defence assistance. In the other office note dated 23-6-98 and 3-7-98 which are Ex W7 and Ex.W8 respectively, the delinquent petitioner was informed to be present for the enquiry with his list of witnesses and the Govt. Doctor as his witness. All these things goes to show that a fair and impartial enquiry was conducted by the Enquiry Officer in the presence of the delinquent/petitioner after giving him due opportunity. Hence it cannot be said that the Enquiry Officer while conducting the enquiry has violated the principles of natural justice. In the suspension order dt. 4-12-98, Ex. W9, the various acts of commission and omission, considered as misconducted by the delinquent/petitioner on various occasions has been clearly mentioned. It also clearly states that the delinquent/petitioner has admitted all those previous misconduct from punishments like the reduction in his Basic Pay, reversion to the post of a Sweeper at the minimum scale of pay, debarring from performing duty at Terminal Building were given. These facts have not been denied by the delinquent/petitioner. It is clearly stated in the order of termination, Ex.W9 itself, that the Disciplinary Authority, on perusal of the Enquiry Officer's report has observed that it is a fit case of termination of services and Shri Balashanmugam, the delinquent/petitioner is habitual offender and has not improved in spite of being punished several times and even after his categorical assurance to improve his conduct. He has also stated in that order that his continuance in employment is detrimental to his co-workers since he has the tendency of threatening them physically. Further, from the perusal of the records available in this case on either side, it is seen that the petitioner has behaved in an unruly manner in the place of work under the influence of alcohol. There are incidence available in this enquiry report that the Medical Officer has found him in a drunken stage when he was examining him to assess whether he has consumed alcohol at that time. He has clearly deposed before the Enquiry Officer as a witness for the Management that when he begins to examine the delinquent, he was not cooperative but smelt alcohol and ran away from that place. If really, the delinquent has not consumed alcohol at that time, he could have subjected himself for medical examination by the Medical Officer. There is no animosity against the delinquent for the Medical Officer to depose falsely against him. So, all these things put together it is seen the averments contra to these facts pleaded in the Claim Statement by the petitioner are false.

8. It is alleged in the Claim Statement that the Enquiry Officer failed to furnish the copy of the enquiry proceedings and findings and it is clear violation of principle of natural justice. But, in the Counter, it is stated that the enquiry findings are furnished to the petitioner. It is not the case of the petitioner claimant that under the Standing Orders of the Management, there is an obligation for the Management to supply the enquiry report to the employee before the Disciplinary Authority accepts the report. Under such circumstances, the decision arrived at by the Bombay High Court in a case reported as 1992, II LLJ, page 847, Ravindra Umesh Gokaran and others. Guest

Keen Willi Ltd. and others is quite applicable to this case. It is held in that case that there is no obligation cast upon the punishing authority to furnish a copy of the Enquiry Officer's and affording an opportunity of hearing/representation there against before making a finding is a general principle of natural justice applicable to all domestic enquiries conducted against industrial workmen. Further, a division bench of Bombay High Court in a writ petition between Praful Durlabji Ved vs. Cooperative Bank of Ahmedabad and others held that there was no obligation of furnishing a copy of the enquiry report in the absence of any provision in the service regulations/rules and no grievance had been made about the non-availability of the enquiry report. So, it cannot be said that on the ground of non-furnishing of Enquiry Officer's report to the delinquent before the Disciplinary Authority passing the final order under Ex.W9 is against the principle of natural justice. Furthermore, from the available evidence, it can be easily concluded that the punishment awarded by the Disciplinary Authority to the delinquent under the order, Ex.W9 dt. 4-12-98 is a disproportionate punishment to the gravity of the misconduct of the delinquent employee. Under such circumstances, I answer the point holding that domestic enquiry conducted by the Management earlier was fair and impartial following the principle of natural justice. In view of this finding there is no need to consider the oral evidence on the side of the claimants.

9. Point (ii) In view of my finding in the earlier Point No. (i), it can be easily concluded that the action of the management of Airports Authority of India (IAI) in ordering dismissal from service of P. Balashanmugam is justified and it is not disproportionate of the charges levelled against him. Under such circumstances, there is no scope for this Tribunal to interfere with that decision of the Management under Section 11-A of the Industrial Disputes Act, 1947 to set aside or modify the order of termination passed by the Respondent Management. Thus, I answer the point accordingly.

In the result, the petitioner claimant is not entitled to any relief prayed for. Thus, I pass this award as no relief award without cost.

Dictated to the Stenographer and typed by him direct and corrected and pronounced by me in the open court on this day the 9th November, 2000.

K. KARTHIKEYAN, Presiding Officer.

#### WITNESSES EXAMINED

On either side : None.

#### DOCUMENTS MARKED

##### For CLAIMANT/I PARTY

- Ex.W1 8-1-98 Disciplinary proceedings
- Ex.W2 16-4-98 Order
- Ex.W3 6-4-98 Explanation Letter
- Ex.W4 9-2-98 Subsistence Allowance
- Ex.W5 19-2-98 Memorandum
- Ex.W6 22-5-98 Note (Inquiry)
- Ex.W7 23-6-98 Office note
- Ex.W8 3-7-98 Office note
- Ex.W9 4-12-98 Suspension Order

## FOR MANAGEMENT / II PARTY

बनाम

- Ex.M1 1-7-87 Charge Memorandum with Annexure  
 Ex.M2 20-12-88 Letter from the Petitioner to Respondent  
 Ex.M3 24-5-89 Mercy Petition  
 Ex.M4 13-1-92 Letter from IAAI  
 Ex.M5 14-1-92 Charge Memorandum  
 Ex.M6 10-6-93 Order passed by Respondent  
 Ex.M7 8-1-98 Order of Suspension  
 Ex.M8 23-2-98 Charge Memorandum with Annexure  
 Ex.M9 22-5-98 Letter from Respondent to the Petitioner  
 Ex.M10 — Enquiry Proceedings with Annexure  
 Ex.M11 24-9-99 Enquiry Report

नई दिल्ली, 23 नवम्बर, 2000

का.आ. 2741.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर.एस.एम.एम. जामकोटड़ा माईन्स के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण उदयपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-11-2000 प्राप्त की हुआ था।

[सं.एल.-29012/100/95-आई.आर. (विविध)]  
 वी.एम. डेविड, अवर सचिव

New Delhi, the 23rd November, 2000

S.O. 2741.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Udaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management R.S.M.M. Jhamkotra Mines and their workman, which was received by the Central Government on 23-11-2000.

[No. L-29012/100/95-IR(Misc.)]

B. M. DAVID, Under Secy.

अनुबन्ध

न्यायालय : न्यायाधीश, केन्द्रीय औद्योगिक अधिकरण एवं श्रम-न्यायालय, उदयपुर, (राज.)

पीठासीन अधिकारी: श्री चांदमल तोतला, आर.एच.जे.एम.  
 प्रकरण संख्या: 1/96

ओं. वि.

श्री जमनालाल वैष्णव पिता श्री मुरलीधर वैष्णव निवासी पुलिस चौक जगदीश चौक, उदयपुर (राज.) —प्रार्थी

(1) मैनेजिंग डायरेक्टर, आर.एस.एम.एम. जामरकोटड़ा माईन्स पंचवटी कार्यालय राज. कन्या महाविद्यालय के सामने उदयपुर (राज.)

(2) जनरल मैनेजर, आर.एस.एम.एम. जामरकोटड़ा माईन्स, पंचवटी, उदयपुर (राज.)

(3) मैनेजर, आर.एस.एम.एम. जामरकोटड़ा माईन्स जामरकोटड़ा, उदयपुर (राज.)

—विपक्षीगण

उपस्थित :-

श्री कमरुद्दीन प्रार्थी की ओर से।

[विपक्षी की ओर से कोई उपस्थित नहीं।]

दिनांक 8-11-2000

: निर्णय :

औद्योगिक विवाद अधिनियम के अन्तर्गत श्रम मंत्रालय भारत सरकार की विज्ञप्ति संख्या: एल. 29012/100/95-आई.आर. (विविध) (दिनांक: 30-1-96 से श्रमिक कर्मचारी तथा उसके नियोजक के मध्य उत्पन्न हुआ निम्नांकित औद्योगिक विवाद इस श्रम-न्यायालय को अधिनियम हेतु प्रेषित किया गया तथा दिनांक 15-7-96 को नियमित औद्योगिक विवाद संख्या : 1/96 पंजीबद्ध हुआ।

"Whether the action of the management viz. General Manager, Jhamarkotr, Rockphosphate Mines, RSMM Ltd. P. Phamarkotr, Udaipur in terminating the services of Sh. Jamunlal Vaishnav, casual worker is justified or not? If not, what relief the workmen is entitled to?"

संबंधित श्रमिक श्री जमनालाल ने उसकी कथित सेवा समाप्ति अनुचित होना बताते हुये प्रस्तुत किये अपने आवेदन मांग पत्र में बताया है कि उसे विपक्षीगण की जामरकोटड़ा राक फास्फेट माईन्स पर सितम्बर-81 में कैजुअल लेबर के तौर पर लगाया गया था जब से दिसम्बर-88 तक वह दैनिक वैतनिक भोगी कर्मी के रूप में वह ईमानदारी लगन व निष्ठा से कार्य करता रहा व तीन-तीन माह की स्वीकृति के आधार पर कार्य करता रहा। बताया गया कि पूरी सेवा के दौरान प्रार्थी के कार्य से कभी किसी को कोई शिकायत नहीं रही तथा कभी उसे कोई कारण बताओ नोटिस नहीं दिया गया किन्तु उसे दिसम्बर-88 के पश्चात् उसे सेवा से पृथक कर दिया गया। आवेदन में बताया गया कि दिसम्बर-88 के बाद प्रार्थी को सेवा से पृथक कर देने के बाद भी प्रार्थी लगातार विपक्षी को उसे नियोजन में लेने व नियमित करने के लिये मौखिक तौर से निवेदन करता रहा, परन्तु विपक्षी द्वारा झूठे ग्राहवासन दिये गये जबकि प्रार्थी से कनिष्ठों को नियमित कर दिया गया। बताया गया कि विपक्षीगण ने अंततः प्रार्थी को 26-8-91 से ठेकेदार न्यू शोधननगर खुरजी प्रोजेक्ट प्रा. लि. में कार्य पर लगा दिया गया। जिसका कार्य 6-2-93 तक चला जब तक प्रार्थी से कार्य लिया गया व कार्य समाप्त हो जाने पर प्रार्थी की सेवाएँ भी समाप्त कर दी गयी। जिसके बाद भी प्रार्थी ने कई बार उम्र सेवा में लेने का निवेदन किया व अन्ततः

7-5-93 को सेवा में लेने हेतु आवेदन प्रस्तुत किया फिर भी प्रार्थी की कोई सुनवाई नहीं की गई। बताया गया कि प्रार्थी में कई कनिष्ठों को भर्ती कर नियमित कर दिया गया। जो जानबूझकर इसलिए किया गया कि वे सभी विपक्षीयता के विपक्षी व्यक्ति थे। आवेदन में यह भी बताया गया कि श्रम प्रवर्तन अधिकारी के यहां प्रार्थी की शिकायत पर वार्ता के दौरान श्रम अधिकारी महोदय ने विपक्षी को प्रार्थी को सेवा में लेने के लिए राय दी, परन्तु विपक्षी तैयार नहीं हुए अतः वार्ता असफल हुई। बताया गया कि प्रार्थी को सेवा से पृथक् करने से पहले कोई नोटिस या नोटिस वेतन या क्षतिपूर्ति आदि नहीं की गई तथा प्रार्थी से कनिष्ठ व बाद में नियोजित लगातार सेवा में है। सेवा समाप्ति धारा 25 के प्रावधानों के विपरीत होना तथा इस आधार पर शून्य होना बताते हुए यह भी बताया गया कि प्रार्थी को इस सेवा समाप्ति के बाद अन्य जगह स्थाई कार्य नहीं मिला तथा वह बेरोजगार है जिससे उसे काफी कठिनाईयों का सामना करना पड़ रहा है तथा भरणपोषण रिस्तेदारों व मित्रों की सहायता व कर्ज से चल रहा है। निवेदन किया गया कि प्रार्थी की सेवा समाप्ति को अवैध घोषित कर उसे पुनः सेवा में रखा जावे तथा सेवाएँ निरन्तर मानते हुए प्रार्थी से कनिष्ठों से पहले प्रार्थी का नियोजन घोषित किया जावे तथा सम्पूर्ण अवधि के वेतन व अन्य लाभ उस दर से प्रदान किये जावे जिस दर से कि वह सेवा में रहते हुए व स्थाई सेवा करते हुए प्राप्त करता। यह भी निवेदन किया गया कि बोनस, वार्षिक वेतन वृद्धि प्रदान करते हुए वरिष्ठता के आधार पर नियमित भी घोषित किया जावे, एवं व्यय कार्यवाही भी प्रदान की जावे।

विपक्षी के उत्तर के अनुसार प्रार्थी को 1-1-82 से प्रत्येक वर्ष में आकस्मिक श्रेणी के कार्य हेतु प्रतिवर्ष दो तीन माह की अवधि हेतु आकस्मिक मजदूर के तौर पर नियुक्त किया गया था तथा 1982 से 1988 तक के सात वर्षों में प्रार्थी ने कुल 278 दिन कार्य किया तथा जुलाई-86 के बाद से तो कभी भी कार्य पर उपस्थित नहीं हुआ। उत्तर में बताया गया कि विपक्षी के द्वारा सूचना लगाये जाने पर भी जुलाई-86 से किसी भी कार्य दिवस पर प्रार्थी उपस्थित नहीं हुआ। अतः दिसम्बर-88 या और किसी समय प्रार्थी को सेवा से अलग करने का प्रयत्न ही नहीं उठता।

प्रार्थी के प्रत्येक कार्य दिवस इस प्रकार बताये गये।

1983 - 12 दिन

1984 - 76 दिन

1985 - 73 दिन

1986 - 42 दिन तथा जुलाई-86 के बाद में कार्य पर नहीं आया।

उत्तर में यह भी बताया गया कि प्रार्थी ने उसे नियोजन में लेने के लिए लिखित या मौखिक निवेदन नहीं किया तथा प्रार्थी को कभी भी विपक्षी ने ठेकेदार, खुरजी प्रोजेक्ट लि. में भी नियोजित नहीं किया।

उत्तर में यह भी बताया गया कि दिनांक 1-1-88 को श्रमिक संघ के साथ हुए समझौते के अनुसार 1979 से 1988 तक जो श्रमिक थे तथा जिनकी 1982 से 1988 तक कुल उपस्थिति कार्य दिवसों के 75 प्रतिशत तक भी उनको उनकी उपस्थिति व अच्छी से सेवा व मेवा अभिलेख को ध्यान में रखते हुए 1-1-88 से नियमित किया गया तथा यह समझौता मान्यता प्राप्त श्रम संगठन के साथ में हुआ था तथा प्रार्थी 1-1-88 को कार्यरत नहीं था एवं इन वर्षों में उसने उपरोक्तनुसार प्रतिवर्ष केवल दो या तीन माह ही कार्य किया था। अतः प्रार्थी को कोई लाभ उत्पन्न नहीं होता तथा उसे नियोजन का अधिकार भी उत्पन्न नहीं होता। आवेदन में अंकित, अन्य विवरण से तैयार हुए मांग का आवेदन अस्वीकार किये जाने का निवेदन किया गया।

विपक्षी की ओर से कोई साक्ष्य प्रस्तुत नहीं की गयी यद्यपि इसके लिए काफी अवसर दिये गये।

प्रार्थी की ओर से कोई साक्ष्य प्रस्तुत नहीं हुई है जबकि इसके लिये काफी अवसर दिये गये।

प्रार्थी के निवेदन पर विपक्षी के द्वारा जामर कोटडा खदान के कर्मचारियों हेतु स्थायी आदेश तथा राजस्थान स्टेट मार्टिन्स एण्ड मिनरल्स सर्विस् रूल्स-1975 की प्रतिलिपि प्रस्तुत की गयी। यह भी प्रतीत होता है कि 1-6-96 को अनेक मांग पत्र के साथ प्रार्थी के उपस्थिति रजिस्टर, भुगतान वाउचर इत्यादि तथा अन्य कई श्रमिक-गणों के 1981 से 1996 तक के सेवा अभिलेख प्रस्तुत कराये जाने की मांग की — इनमें से कोई दस्तावेज प्रस्तुत नहीं किया गया, परन्तु ऐसा भी प्रतीत नहीं होता कि दस्तावेज प्रस्तुत करने के लिये कोई विशिष्ट आदेश है।

प्रारम्भिक तौर से दृष्ट्या श्रमिक को यह प्रमाणित करना होता है कि उसकी सेवा समाप्त की गयी तथा अधिनियम व/या अन्य किसी वैधानिक प्रावधान या नियम की पालना नहीं की गयी। प्रार्थी की ओर से कोई साक्ष्य प्रस्तुत नहीं हुई ऐसी कोई साक्ष्य दस्तावेज या अन्य तथ्य नहीं है जिसके आधार पर यह प्रतीत हो कि प्रार्थी की सेवाएँ समाप्त की गयी या उसका नियोजन एक वर्ष या अधिक अवधि में लगातार था या उससे कनिष्ठों को लगातार कार्य पर रखते हुए या बाद में नियोजित कर उसकी सेवाएँ समाप्त की गयी। अतः प्रार्थी को इसी आधार पर कोई अनुतोष देय नहीं होती। आवेदन में ही प्रार्थी ने बताया है कि उसे दैनिक वेतनिक भोगी के रूप में तीन-2 माह के लिये लगाया जाता था। इस तरह यह भी प्रतीत होता है कि निश्चित अवधि की नियुक्तियाँ की जाती थी। विपक्षी संस्थान के स्थायी आदेशों के अंतर्गत श्रमिकों के वर्गीकरण में आकस्मिक श्रमिक भी है। साक्ष्य प्रस्तुत नहीं करने का एक अर्थ या निष्कर्ष यह भी हो सकता है कि प्रार्थी को नियोजन या नियोजन के परिणामस्वरूप उत्पन्न हुए लाभ या हित की किसी भी तरह से आवश्यकता नहीं है या शायद वह अन्यत्र ठीक नियोजन में है। इस सब को

देखते हुए प्रार्थी को कोई अनुतोष देय नहीं होती तथा उसकी कथित सेवा समाप्त अनुचित व अवैधानिक प्रकट नहीं होती। प्रार्थी को कोई अनुतोष देय नहीं हो सकती।

नदानुसार यह विवाद अधिनिर्णित होता है।

आदेश : श्रम मंत्रालय, भारत सरकार की विज्ञापित संख्या एल-29012/100/95 आई. आर. (विविध) दिनांक : 30-1-96 से प्रेषित विवाद इस तरह अधिनिर्णित होता है कि "प्रबन्धन व जनरल मैनेजर झामश कोटडा राक फास्फेट मार्टिन्स आर. एम. एम. एम. लि. झामर कोटडा उदयपुर के द्वारा उनके श्रमिक श्री जमलाल वैष्णव (आकस्मिक श्रमिक) का नियोजन समाप्त करना अनुचित व अवैधानिक नहीं रहा। श्रमिक को कोई अनुतोष देय नहीं होती" — पंचाट प्रकाशनार्थ श्रम मंत्रालय भारत सरकार को भेजा जावे।

निर्णय व आदेश आज दिनांक : 8-11-2000 को न्यायालय में लिखाया जाकर हस्ताक्षरित कर मुनाया गया।

सी. एम. तोतला, न्यायाधीश

नई दिल्ली, 23 नवम्बर, 2000

का' आ. 2742.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ. एन. जी. सी., देहरादून के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-11-2000 को प्राप्त हुआ था।

[मं. एल-30011/43/99-आई आर (विविध)]  
वी. एम. डेविड, अव्वर सचिव

New Delhi, the 23rd November, 2000

S.O. 2742.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow (U.P.) as shown in the Annexure, in the industrial dispute between the employers in relation to the O.N.G.C. Dehradun and their workmen which was received by the Central Government on 23-11-2000.

[No. L-30011/43/99-I.R.(Misc.)]

B. M. DAVID, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT  
LUCKNOW

PRESIDING OFFICER :

Rudresh Kumar,

#### ADJUDICATION

BETWEEN :

General Secretary,  
Tel Avam Prakartik Gas Ayog  
Karamchari Sangh,  
32, Chakrata Road,  
Dehradun

AND

The General Manager (P)  
ONGC Ltd.,  
Tel Bhawan,  
Dehradun.

By reference No. L-30011/43/99-I.R.(M) dated 14-12-1999, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of Sub-section (1) of Section 10 I.D. Act, 1947 made over this industrial dispute between General Secretary, Tel Avam Prakartik Gas Ayog Karamchari Sangh, Dehradun and General Manager (P) ONGC Ltd., Dehradun for adjudication. The reference is re-produced as under :

Whether the action of the management of M/s Oil & Natural Gas Corporation Ltd., Dehradun in applying the Recruitment and Promotion Policy 1997 to their old class II employees which were governed under Recruitment and Promotion Policy 1980 is just fair and legal ? If not, to what relief the workmen are entitled and from what date ?

2. Under the signature of Abhay Ram Chamoli, General Secretary, Oil & Natural Gas Commission Employees Sangh, Dehradun, a claim statement was filed on 11-2-2000. Grievances of the workman are: that R&P Rules 1980, dealing with employment and promotion of ONGC employees was amended drastically to the disadvantage of the Class IV & III employees. By order No. 25(1997)RP-1 dated 14-3-1997, the amended rules have been made applicable w.e.f. 1-1-1997. Certain new rules were inserted changing eligibility qualification of Class III & IV employees. These employees have been classified in 4 grades instead of 3 and thereby a difference of one additional grade was introduced, which has affected promotional avenues of the employees. Likewise, in the amended rules, minimum educational qualification of class IV employees has been raised to High School in place of class VIII as existed under the 1980 rules. Qualification for promotion from class III to higher post, has been altered with Diploma in Computer application, whereas in the past, eligibility qualification was High School and IIT passed. As a result of these changes, a IVth class employee has to wait for 21 years in place of 18 years for getting in higher class. Even class III employees have to wait for 21 years instead of 18 years for promotion in class II. Departmental test has also been introduced beside certain other arbitrary charges.

3. The management filed a detailed reply giving background of the amended rules, framed to regulate the services of Class IV and Class III employees. It is stated that, to keep the ONGC in the competition with other establishments, it had no option but to enhance educational qualifications in the light of technical advances, necessitating technical qualifications. Further details are given stating changes were made

after due consultation with the representative unions and on giving thoughtful considerations to the joint committee report. The amendment were made in light of the memorandum of understanding with the recognised unions and the workman versions, otherwise, is false.

4. The management has also raised a preliminary objection questioning competence of the reference which mentions class II employee in the reference. In ONGC class II employees consist of executive, supervisors, discharging various managerial, administration and supervisory functions and they are not "workman" as defined under Section 2(S) of the I.D. Act, 1947.

5. It is further pleaded that amendment in service rules is a matter of policy, done after due consultation with the unions. This subject is not included in Schedule II and III of the I.D. Act, 1947 to confer jurisdiction on the Tribunal/Labour Court. It is also said that the Gujarat High Court has already upheld validity of the MR PR Rules 1997, in writ petition/SLP No. 8545/99 in the matter of Wilson D. Christian and Others V/s ONGC Ltd. The decision in the said case bars cognizance on reference, on the principle of res judicata.

6. The management has also challenged competency of the workman who is not representative union of the employees. The substantial changes made in the rules have been defended by the management, explaining rationale behind the amendment.

7. At the initial stages of the proceeding the workman or his A/R Kamlesh Kumar Srivastava appeared. They put their last appearance on 14-7-2000. Since 17-8-2000 the workman or his authorised representative did not appear, despite full notice. By order dated 7-9-2000, a registered notice was sent to the workman, making it clear that his failure in participation may be taken as deliberate avoidance and the case may proceed ex-parte. Despite this notice none appeared and the case proceeded ex-parte.

8. The preliminary issue challenging competency of the reference requires appreciation. Reference mentions class II employees and not class III or IV employees. Management claims that class II employees consist of employees discharging executive and supervisors functions and are not 'workman'. This version remained unchallenged by the workman. Reference was not got amended by the workman and so the preliminary objection, raised by the management is upheld that class II employees are not "workman". under Section 2(S) of the I.D. Act, and the very reference is invalid and not maintainable for purposes of the adjudication.

9. As the case is decided on preliminary issue, it is not necessary to discuss other issues raised in this industrial dispute.

10. Accordingly, the reference is held incompetent. Lucknow.

14-11-2000

RUDRESH KUMAR, Presiding Officer.

3299 GI/2000-16.

नई दिल्ली, 24 नवम्बर, 2000

का.आ. 2743.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबन्धतंत्र के संबद्ध नियोक्तों और उनके कर्मचारों के बीच, अनुवध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लेबर कोर्ट, औरंगाबाद के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-2000 को प्राप्त हुआ था।

[स.एल-40012/72/97-आई.आर. (डी.यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 24th November, 2000

S.O. 2743.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Labour Court, Aurangabad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom, and their workman, which was received by the Central Government on 24-11-2000.

[No. L-40012/72/97-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SHRI S. K. DESHPANDE, JUDGE, LABOUR COURT, AURANGABAD

Reference (IDA) No. 24/98

Telecom Deptt.,  
Telecom Dist. Manager,  
Aurangabad,  
Aurangabad-431 001.

.. Party No. 1.

—Versus—

Shri Kacharu Bhavurao Kasare,  
Post-Golegaon, Tq. Khultabad,  
Dist. Aurangabad, Aurangabad.

.. Party No. 2

Coram : Shri S. K. Deshpande, Presiding Officer/Judge.

Advocate : Shri S. B. Agrawal, Advocate for the party No. 1.

Shri P. V. Daware, Advocate for the party No. 2.

AWARD

(Delivered on 30-9-2000)

This is a reference from the Desk Officer, Government of India, Ministry of Labour, New Delhi under clause (d) of Sub-section (1) and Sub-Section 2(A) of Section 10 of the Industrial Disputes Act, 1947 for adjudication of the dispute as per Schedule below:

"Whether the action of the management of Telecom Divisional Manager, Aurangabad in disallowing Sh. Kacharu Bavurao Kasare, Casual labour to continue in service w.e.f. 31-03-86 is legal and justified? If not, what relief the workman is entitled to?"

2. According to the party No. 2 he was employed in the establishment of the party No. 1 as a casual labour since May 1982 and he was in the employment of the party No. 1 till 31-3-1986. The party No. 2 added that, he was in continuous service of the party No. 1 and also worked more than 240 days in every year with the party No. 1 however inspite of continuous service, his services were orally terminated without any reason and that too without following the procedure of law hence the alleged termination dated 31-3-1986 is illegal. The party No. 2 further added that, after termination he approached to the Asstt. Commissioner of Labour, Pune but he was not reinstated in service and finally the matter has been referred to this Court under Reference for adjudication. Thus the party No. 2 requests that the Reference be answered in affirmative and he be reinstated in service with full backwages and continuity of service.

3. The party No. 1 strongly resisted the claim of party No. 2 and denied all the contentions of the party No. 2 including the tenability of the Reference. The party No. 1 contended that, the Department of Telecom is not an 'industry' within the meaning of Industrial Disputes Act as it performs the sovereign function of the State therefore the Reference as framed is not tenable under law. There is inordinate and unexplained delay hence the Reference is barred by limitation and not tenable under law.

The party No. 1 further contended that, the party No. 2 was a casual labour and daily wages employee therefore he has no right to the post and his disengagement from service cannot be termed as a retrenchment. The party No. 1 also contended that, the party No. 2 left the work from 1-11-1985 at his will and never approached for work nor requested for work hence there is no illegality or any unfair labour practice on the part of the party No. 1, and ultimately requested that the Reference be answered in negative.

4. On the basis of the rival contentions of the parties, I have framed the issues at Ex. O-4. I have recasted the same at Ex. O-5. My findings and reasons to them are as under :

| Issues  | Findings   |
|---|--|
| 1. Whether the reference is tenable under law ?   | Yes  |
| 2. Does the party No. 1 prove that, the party No. 2 voluntarily left the job of the party No. 1 ?         | No.  |
| 3. If no, does the party No. 2 prove that, the alleged termination of service amounts to a retrenchment ? | Yes  |
| 4. If yes, whether the termination is in violation of provisions law ?                                    | Yes.   |
| 5. Whether the party No. 2 is entitled for the relief as prayed ?   | Partly yes.<br>Reinstatement and continuity of service only. |
| 6. In what manner the Reference is answered ?   | As per Award below.  |

#### REASONS

5. Issue No. 1 :—Though it is contended on behalf of the party No. 1 that, the establishment of the party No. 1 is not an 'industry' within the meaning of I.D. Act as it performs the sovereign functions of the State but nothing has been placed on record nor the party No. 1 has adduced any oral evidence before the Court in support of sovereign functions which are being carried out in the establishment of the party No. 1. There is also a reference in reply about the decision of Supreme Court in respect of Telecom Department however that decision is not placed on record.

On the other hand the full Bench of the Highest Court of the land observed in General Manager, Telecom Vs. S. Srinivasan Rao and Others reported in 1998 1 CLR 184 that, as per the test laid down in the case of Bangalore Water Supply, the Telecommunication Department is an 'industry' as defined in S. 2(j) of the Act, that it is not engaged in discharging any of the sovereign functions of the State. In view of these observations of Hon'ble Lordships of Supreme Court, it can be safely said that, Telecom Department is an industry.

6. The party No. 1 also attacked the Reference on the ground that, there is an inordinate and unexplained delay therefore the present Reference is barred by limitation. True it is that for the termination of 31-3-1986 the Reference has been referred to this Court in 1998 i.e. after a period of 12 years which can certainly be said an inordinate delay. However after carefully scanning the case papers and various copies of documents placed on record by the party No. 2

particularly the letter dated 7-1-1988 it seems that the party No. 2 approached to the Asstt. Labour Commissioner (Central), Pune on 7-1-1988 with a request of reinstatement without backwages in the employment of the party No. 1 and it is revealed that since then the matter is pending before the Labour Authorities and as the matter was not settled before the labour authorities therefore finally the Reference has been referred to this Court for adjudication. In view of this it can be safely inferred that the party No. 2 approached to the Labour Authorities within reasonable time and there is no delay much less inordinate delay in approaching to the labour authorities therefore the present reference cannot be said to be barred by limitation. The contention of the party No. 1 regarding the tenability of Reference is ill-founded and cannot be accepted. In brief the Reference as framed is tenable under law, hence I answer this issue in the affirmative.

7. Issue No. 2 :—The party No. 1 specifically pleaded in reply that, the party No. 2 voluntarily left the job of the party No. 1 with his own will w.e.f. 1-11-1985 and thereafter the party No. 2 did not approach to the party No. 1 for work hence there is no termination of services of the party No. 2 by the party No. 1. This fact is denied by the party No. 2 in evidence stating that his services were orally terminated by the party No. 1, under such circumstances it was obligatory on the part of the party No. 1 to establish before the Court that, the party No. 2 voluntarily left the job of the party No. 1 w.e.f. 1-11-1985 however unfortunately no such attempts has been made on behalf of the party No. 1 to that effect.

8. It is worthwhile to mention here that, voluntary leave the job or abandonment of service is a matter of intention depends on facts of each case. It is a settled position of law that in case of abandonment of service the employer has to give notice to the workman calling upon him to resume his duty and in spite of that, if the employee did not report for duty then the inference of abandonment of service can be drawn. In the instant case no such notice calling upon the party No. 2 to resume his duty was not issued by the party No. 1. It is revealed from the case papers that, the relationship of employer and employee, period of employment of the party No. 2 with the party No. 1 i.e. since 1982 to March 1986 is not disputed and under such circumstances if the party No. 2 did not report for duty after 31 March 1986, then it was obligatory on the part of the party No. 1 to make necessary attempts to secure the presence of the party No. 2 by issuing notice to the party No. 2 calling upon him to resume his duty. But there is absolutely nothing on record to show that any attempt has been made on behalf of the party No. 1 to secure the presence of the party No. 2. Under such circumstances in absence of any positive evidence regarding the voluntary abandonment of service and in the light of total denial about the voluntary abandonment of job by the Party No. 2, it can be safely inferred that, the party No. 2 has not voluntarily left the job of the party No. 1. The party No. 1 totally failed to establish before the Court that, the party No. 2 left the job of the party No. 1, hence I answer this issue in the negative.

9. Issue No. 3 :—The party No. 1 totally failed to establish that there is an abandonment of service by the party No. 1 or the party No. 2 voluntarily left the job of the party No. 1 with his own will therefore discontinuation of the party No. 2 from service is nothing but the termination of service. Though it is contended on behalf of the party No. 1 that, the party No. 2 was a casual labour on daily wages therefore his disengagement from service does not amount to a retrenchment however the party No. 1 could not substantiate the same by necessary oral or documentary evidence on record.

10. It will not be out of place to mention here that, retrenchment means termination by the employer of services of a workman, for any reason whatsoever otherwise than as punishment inflicted by way of disciplinary action as well as such termination does not fall within the category of exception such as voluntary retirement of a workman or retirement of a workman on reaching the age of superannuation or termination of service on the ground of ill-health. Let me explain at this stage that, Section 2(oo) of the I.D. Act does not make any difference between the regular appointment or temporary appointment or appointment on daily wages basis and any termination whatsoever not within the exception to the definition of retrenchment, such termination is a retrenchment. In the instant case, employment of the

party No. 2 with the party No. 1 is not disputed by the party No. 1 and the party No. 2 stated on oath before the Court that, his services were terminated orally by party No. 1. In view of this, though the party No. 2 was engaged on daily wages or on temporary basis however his termination from services certainly amounts to a retrenchment. Thus the alleged termination of the party No. 2 is a retrenchment hence I answer this issue in the affirmative.

11. Issue No. 4:—As I have observed that, the termination of the party No. 2 amounts to a retrenchment therefore the question falls for consideration is whether the party No. 2 was in continuous service of the party No. 1. It has come in the evidence of the party No. 2 that, he was in the employment of the party No. 1 since 1982 to 1986 as a casual labour and he was getting Rs. 210 per month towards wages. Mr. Daware Ld. Counsel appearing on behalf of the party No. 2 invited my attention to the various documents placed on record from which it is revealed that, the party No. 2 worked more than 535 days during 1982 to 1983 and 637 days during 1984 to 1985 and in the year 1985 the party No. 2 worked more than 262 days with the party No. 1. The party No. 2 was fully cross examined by the counsel for the party No. 1 but they could not bring any substantial material on record through the cross examination of the party No. 2. Not only this but the party No. 1 has not stated anywhere in his affidavit which is filed by way of evidence that the party No. 2 was never in continuous service nor the party No. 1 has placed any document on record to establish before the Court that, the party No. 2 was never worked for more than 240 days in the year preceding the date of termination therefore in the light of unshattered testimony of the party No. 2 there is no hesitation to accept that, the party No. 2 was in continuous service of the party No. 1.

12 As I have observed that, the party No. 2 was in continuous service of the party No. 1 and he worked more than 240 days in the year preceding the date of termination i.e. 31-3-1986 therefore the party No. 1 was duty bound to terminate the services of the party No. 2 only after issuing one month notice or to pay notice pay and retrenchment compensation at the time of termination. Undisputedly, one month notice of termination was not issued to the party No. 2 nor notice pay in lieu of Notice and retrenchment compensation was paid to the party No. 2 at the time of termination, therefore the alleged termination of the party No. 2 is certainly in violation of Section 25F of the Industrial Disputes Act, hence I answer this issue in the affirmative.

13. Issue No. 5:—Once it is established that the alleged termination of the party No. 2 is illegal and in violation of provisions of law, then it is liable to be set aside. The normal relief against the illegal termination is reinstatement with continuity of service with full back wages and the party No. 2 also prayed for the same.

I may mention here that there appears no dispute that, the party No. 2 was working with the party No. 1 as a casual labour and as the termination is set aside the party No. 2 is entitled for the reinstatement in service as a casual labour with continuity of service on the post on which he was working prior to termination. As regards the back wages are concerned it has come on record that the party No. 2 was engaged on daily wages and he was getting wages for his work. Undisputedly the party No. 2 was in continuous service but he never worked through out the year with the party No. 1 therefore considering the nature of employment of the party No. 2 and the statement of the party No. 2 made on oath that he is doing the labour work since 1986 in my view the party No. 2 will not be entitled for any back wages. In brief the party No. 2 is entitled for the relief of reinstatement and continuity of service only, hence I answer this issue accordingly.

In view of the reasons against the issue Nos. 1 to 5 the party No. 2 is entitled for the relief of reinstatement with continuity of service only. With these words I proceed to pass the following Award:

#### AWARD

1. The reference is answered partly in affirmative.
2. The party No. 2 is entitled for the relief of reinstatement with continuity of service only.

3. The party No. 1 is hereby directed to reinstate the party No. 2 in service with continuity of service only within a period of one month from the date of publication of Award.

4. The party No. 2 is not entitled for back wages.

5. No order as to costs.

6 This Award be submitted to the Desk Officer, Government of India, Ministry of Labour, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001.

7 The original papers of conciliation be sent to the Desk Officer, Government of India, Ministry of Labour, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001

Place : Aurangabad.

Dated : 30-9-2000.

S. K. DESHPANDE, Judge

नई दिल्ली, 24 नवम्बर, 2000

का.प्र. 2744— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार इस्तेमाल विभाग के प्रवर्तक के सदस्य नियोजकों और उनके कर्मचारियों के बीच, अनुवध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पचाड को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-2000 को प्राप्त हुआ था।

[नं.एल-40012/73/2000-आई प्रार (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 24th November, 2000

S.O. 2744.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Dept. of Telecom and their workman, which was received by the Central Government on 24-11-2000.

[No. L-40012/73/2000-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Monday, the 6th November, 2000

PRESENT :

K. Karthikeyan, Presiding Officer  
Industrial Dispute No. 44/2000

(In the matter of the dispute for adjudication under Section 10(1)(d) and Sub-section 2(A) of the Industrial Disputes Act, 1947 between the Claimant and the Management of Chief General Manager, Telecom, Tamil Nadu Circle, Chennai).



## BETWEEN

The Union Representative, Claimant I Party  
Deptt. of Telecom,  
Tamil Nadu Circle,  
Chennai.

## AND

The Chief General Manager, Management II Party  
Deptt. of Telecom,  
Tamil Nadu Circle,  
Chennai.

## Appearance :

For the Workman.—Union Representative.

For the Management.—Sri K. M. Venugopal,  
Addl. Central Govt. Standing Counsel

## Reference :

Order No. L-40012/73/2000/IR (DU) dt.  
31-5-2000, Government of India, Ministry  
of Labour, New Delhi.

This dispute on coming up before me for final hearing on 23-10-2000, upon perusing the reference, Claim Statement, Counter Statement and other material papers on record, the oral evidence of the First Party Workman and documentary evidence let in on either side and upon hearing the arguments of the Representative of the Workman and Sri K. M. Venugopal, Addl. Central Govt. Standing Counsel appearing for the Management and this dispute having stood over till this date for consideration, this Tribunal passed the following :—

## AWARD

This reference by Central Govt. in the exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 in respect of dispute between Smt. B. Rani, Workman and the Chief General Manager, Telecom, T. N. Circle, Chennai, Management mentioned as schedule appended to the order of reference.

The schedule reads as follows :

"Whether the demand for reinstatement of Smt. B. Rani by the management of Deptt. of Telecom is legal and justified? If not, to what relief is she entitled?"

On receipt of this reference, this Industrial Dispute has been taken on file of this Tribunal on 4-8-2000 as Industrial Dispute No. 44 of 2000. On receipt of the notice from this Tribunal, both the parties appeared with their respective representatives and filed their respective Claim Statement and Counter Statement.

2. The averments of the Claim Statement of the Workman I party are briefly as follows.—The First Party Claimant was employed as a Casual Labourer in the Office of the Chief General Manager, Telecom, Tamil Nadu Circle, Chennai-2 from 27-7-1987 and subsequently as Contract Labour. An agreement was entered into with the Workman to attend the work of sweeping/scavenging at the Office of the Chief General Manager, Telecom, Tamil Nadu Circle, Chennai-2 for one year, every time and the

claimant is in possession of an agreement dt. 1-6-98 for a period of one year upto 31-5-99. As per the provision of the agreement, the Chief General Manager have the right to terminate the contract if the Claimant absence herself for work for more than three consecutive days. The Claimant, Smt. B. Rani was in advanced stage of pregnancy. She had worked upto 20-2-99. The next day happens to be a Sunday. She was admitted in the Corporation Maternity Hospital on 21-2-99 and delivered a female child on 22-2-99 A/N. Her admission in the Hospital for delivery was intimated to the Caretaker. The Claimant applied for leave on 23-2-99 upto 31-3-99. But, the employer, the Chief General Manager, Telecom, Tamil Nadu Circle by his letter No. CSS/1-397 dated 9-3-99 terminated the services of the Claimant. The Claimant is eligible for Maternity Benefit Act. The Asstt. Labour Commissioner (C)-II, Chennai wrote a letter No. M8/85/99-D3 dt. 11-11-99 to the Chief General Manager, Telecom, Tamil Nadu Circle, Chennai directing him to pay the Maternity Benefit to the Claimant. Accordingly, the Claimant was sanctioned Rs. 2046/- as wages towards Maternity Benefit of six weeks w.e.f. 22-2-99. Thus, she was granted Maternity Leave and paid wages from 22-2-99 for six weeks. Therefore, the question of absence for three consecutive days from 22-2-99 does not arise. As such, the termination of service of the Claimant w.e.f. 22-2-99 on the ground of absence for three consecutive days from 22-2-99 is illegal and void. The Claimant requested the Management/Employer to cancel the termination order. As this was not done, she raised an Industrial Dispute under Section 2A under the Industrial Disputes Act against her non-employment. The conciliation ended in a failure. Hence, this reference. As the termination of the service of the Claimant is illegal and void, she is entitled for reinstatement with back wages. Since the Claimant was admitted in the hospital on 21-2-99 and delivered a female child on 22-2-99, the Management should not have treated this period as absence. The Claimant, subsequently worked upto the situation and was paid her wages towards maternity Benefit for six weeks from 22-2-99. As such, the Claimant should not be treated to have been absent on these days. The Claimant should not have been engaged for the work of sweeping/scavenging on Contract Basis. It should be treated that she was engaged only as a Casual Labour. Since she has been working continuously from 1987 till 22-2-99, she is entitled to temporary status and regularisation. On these ground also, the termination of her services is vitiated. She is entitled to reinstatement with back wages and continuity of services. The demand for reinstatement is quite justified. Hence, this Tribunal may be pleased to pass an award holding that the demand for reinstatement of the Claimant by the Management with back wages and continuity of services is justified.

3. The averments of the Counter Statement of the Second Party Management are briefly as follows :—

The nature of work of the Claimant is only on Contract Basis from 1-6-98 to 31-5-99 and the contract period also expired long back. Hence the petition in this I.D. is not maintainable and is liable to be dismissed on this preliminary objection. The moment the contract expired, she has no right of



claiming any job after the contractual period from 31-5-99. If at all, the Claimant claims any job, that is subject to within the contractual period and on the expiry of contract period, there cannot be any dispute. The question of taking leave will not arise in view of the terms of agreement signed by both the Claimant and the Manager as per Clause 15 of the agreement. Otherwise, the agreement will itself will become null and void. The contract was a work contract in nature, for which the agreement contemplated a lumpsum of Rs. 1,479/- per mensem as her charges with clear conditions about various circumstances under which the contract can be terminated. So, the termination of the contract is quite in order under Clause 15 of the contract for her continuous absence. This is not a case of Industrial Dispute but the case covered under Contract Act and hence this Industrial Dispute is liable to be dismissed in limine. Since the Asstt. Labour Commissioner (C) directed the Management to pay Maternity Benefits to the Claimant under humanitarian view, a sum of Rs. 2,046/- was given to the Claimant for six weeks period, though she was not eligible. Such concessions given to the Claimant, not out of the terms of the agreement, cannot be taken as legal ground for reinstatement. As per Clause 15 of the agreement, if the claimant absents for more than three consecutive days, the work contract stands terminated. Hence, there is no question of deciding the case under Industrial Disputes Act. If at all, the Claimant claims any right, such adjudication of rights are within the jurisdiction of the Civil Court. The question of requesting the Management to cancel the termination of contract will not arise since the contract stood terminated for breach of contract conditions. Now the contract period also expired on 31-5-99 itself. Therefore, the question of reinstatement did not at all arise either during the currency of the contract period or after the expiry of the contract period. Since the petitioner is not an employee, she cannot ask reinstatement as a matter of right even if the contract subsists or after the expiration of the contract term. Industrial Disputes Act itself will not apply to this case. Therefore, the demand for reinstatement is not only illegal but also unjustified on the ground that the petitioner was engaged based on contract for a specific period. As per Clause 18 of the agreement, the agreement for doing work is only for one year at the rate of Rs. 1,479/- per mensem. The question of extending the agreement depends upon mutual agreement. Therefore, the Claimant is not entitled to any relief of reinstatement with continuity of service and backwages or reinstatement alone or both except to apply fresh agreement when called for by the Management. The claim of other benefits like reinstatement etc. is outside the scope of the contract entered by the Claimant. Any violation of the terms of the agreement can be dealt with only by a Civil Court which alone has the jurisdiction as per Contract Act. This Tribunal has no jurisdiction to decide contract matters. Under humanitarian view, the Maternity Benefits within the contract period had been paid and as the Claimant already breached and violated the terms of the agreement, the same was terminated as per agreement. Except the agreement for contract of employment, the Claimant has no legal status to seek reinstatement in view of the legal position that the case is relating to Contract Act and not relating to I.D. Act. Hence the Claimant, based

on the one year agreement cannot get any benefits. Consequently, she cannot claim continuity of service and the Claimant has no locus standi to claim the same when it is totally irrelevant to this case. Even as per terms made in Clauses 11 to 13 of the agreement, the Claimant cannot claim reinstatement and other benefits outside the scope of contract. Hence, this Tribunal may be pleased to dismiss this dispute with cost.

4. When the matter was taken up for enquiry, the Union Representative representing the Claimant has examined the Claimant and marked the documents for Claimant as exhibits W1 to W5. On the side of the management, only one document has exhibited as Ex.W1 and it was represented that the management has no oral evidence. Subsequent to the evidence on either side was closed, the arguments advanced by the representative of the claimant and the learned counsel for the management were heard.

5. The Points for my consideration are :—

- (i) Whether this Tribunal has no jurisdiction to adjudicate this dispute as contended by the Second Party Management ?
- (ii) "Whether the demand for reinstatement of Smt. B. Rani by the management of Deptt. Telecom is legal and justified ? If not, to what relief is she entitled ?"

Point (i) : It is an admitted case that the Claimant, Smt. B. Rani was attending the work of sweeping/scavenging at the Office of the Chief General Manager, Telecom, Tamil Nadu Circle, Chennai-2, the Second Party herein under an agreement entered into between them as a Contract for one year and that the contractual period for one year can be extended for further period of one year at the agreed rates on mutual agreement. It is also admitted that both the parties to this dispute entered into an agreement and executed a form for contract work of cleaning/sweeping/scavenging at the Office of the Chief Manager, Telecom, Tamil Nadu Circle, Chennai under the original of Ex.W4. The only witness examined in this case, Smt. B. Rani, the Claimant herein as WW1 has admitted in her evidence that she entered into an agreement with the Second Party Management and executed the original of Ex.W4 which is for the period of one year from 1-6-1998. It is also her admission in evidence that for the year prior to the agreement under Ex.W4, she entered into an agreement with the Management for a period of one year from 2-6-1997 under Ex.W5. It is also an admitted case of the Claimant as she stated in her Claim statement, Para 1, that an agreement was entered into with the petitioner to attend to work of sweeping/scavenging at the Office of the Chief General Manager, Telecom, Tamil Nadu Circle, Chennai-2 for one year every time. The petitioner she refers to, in Para 1 of the Claim Statement is none other than herself as Claimant to this dispute. The Second Party, Chief General Manager, Telecom, Tamil Nadu Circle, Chennai, the Management as Respondent has stated in their Counter Statement that the nature of work is only on Contract Basis for the contract period from 1-6-98 to 31-5-99 and that period also expired long back and that the Claimant has no right of claiming any job after the contractual period from

31-5-99, the date on which the contract period expired. In that Counter itself, the Management as Respondent has pleaded that accept the agreement for contract of employment, the petitioner has no legal status to seek reinstatement in view of the legal position that the case relating to Contract Act and not relating to I.D. Act. It is further contended in the Counter that the work contract stands terminated as per terms of the agreement and hence, there is no question of deciding the case under Industrial Disputes Act, and that if at all the petitioner (claimant) claims any relief, such adjudication of rights are within the jurisdiction of the Civil Court. It is further contended in the Counter that for any violation of the terms of the agreement, only Civil Court has got jurisdiction as per Contract Act and that this Tribunal has no jurisdiction to decide Contract matters.

The learned counsel for the Second Party Management argued that the Claimant Smt. B. Rani was never employed as Casual Labourer and she was given the work of sweeping/scavenging in the Second Party Management office on the basis of an yearly contract, the executed as the Second Part alongwith Asstt. General Manager of the Management office as First Part, every year separately. It is admitted by the Claimant in her Claim Statement as well as in her oral evidence as WW1, two such yearly agreement of contract executed by the Claimant for attending the work of sweeping/scavenging in the Office of the Second Party Management are exhibits W4 and W5. The learned counsel for the Second Party has also argued, as it is contended in the Counter Statement of the Second Party, that the Claimant, Smt. B. Rani gets the right to work or permitted to attend the work of sweeping/scavenging in the Second Party's office only under such yearly agreement and in the absence of the same, she cannot claim to be the person who got the right to attend such work in the office of the Second Party, and hence it is only a contractual right to work accrued to the Claimant, Smt. B. Rani and as a party to that yearly contract, the terms and conditions in those yearly contracts are binding on her. The Second Party Management as a party to that contract can have the right to implement the terms of the contract in case of violation of any terms of the contract by the other party to that contract i.e. the Claimant herein within that contractual period mentioned in the contract. Under such circumstances, this can only be a dispute arising out of the obligations of either party to that contract which is entered into between themselves i.e. the First and Second Party herein. If at all any right that can be claimed by the Claimant for availing any relief against the Second Party Management, it can only be under the contract she entered into with the Management. So, under such circumstances, the rights and liabilities can be claimed by either party to that contract only under the terms of the contract and hence, this dispute raised by the Claimant Smt. B. Rani cannot be an Industrial Dispute but a dispute arising out of a contract which can be dealt only by the Civil Court with jurisdiction and this Tribunal cannot have jurisdiction to adjudicate this dispute which has arisen out of the contract between the parties. This argument advanced by the learned counsel for the Second Party Management is acceptable on the basis of the facts and circumstances of

this case. Hence, I am of the opinion that this Tribunal has no jurisdiction to adjudicate this dispute which is not an Industrial Dispute but only a dispute arising out of a contract between an individual, the Claimant herein and the Management, the Second Party herein. Thus, I answer the point accordingly.

6. Point (ii)—Though, a contention has been raised by the Second Party Management that this Tribunal has no jurisdiction to adjudicate this dispute they have taken part in the enquiry of the dispute before this Tribunal, by cross-examining the WW1, the Claimant, and by relying upon the documents, exhibits W1 to W5 and their own exhibit M1. Thereby, both the parties to this dispute appeared before this Tribunal, filed their respective contentions and have let their respective evidence to rely upon for their respective stands and thereby subjected themselves or submitted to the jurisdiction of this Tribunal. Under such circumstances, this Tribunal thought it fit to adjudicate this dispute referred to by the Ministry under the order of reference above mentioned.

It is an admitted case that the Claimant, Smt. B. Rani entered into an agreement of contract work of cleaning/sweeping/scavenging at the Office of the Second Party Management under the original of Ex. W4 for a period of one year from 1-6-1998 to 31-5-1999. Admittedly, the Claimant's right to attend the sweeping/scavenging work in the Office of the Second Party Management comes to an end on 31-5-1999, the date on which the one year period of work contract comes to an end. It is clearly contended in the Counter of the Second Party Management that the moment the contract period expires, she has no right of claiming any job after the contractual period from 31-5-99. As per the terms of contract under Ex. W4, this contention can be accepted as correct. But, in the cross examination of WW1, the Claimant has stated that it is incorrect to state that she cannot claim it as a right for reinstatement of service since her previous contract periods of one year each expired automatically by efflux of time. Her denial in her evidence in this aspect cannot be accepted as correct.

Though, the Claimant as WW1 had deposed that she entered into an agreement on 1-6-1996 or a period of one year and at that time, her salary was fixed at Rs. 1,479 per mensem, she has not stated so, in her Claim Statement. Further, in both Ex. W4 and Ex. W5, the two agreement forms for the contract work executed by the First Party Claimant for the year 1998-1999 and 1997-1998 respectively, nowhere it is stated that the remuneration for her work was agreed to be paid per month as salary. It is clearly mentioned in both those agreements, that the party of the first part shall pay for the services rendered for a calendar month by the party of the second part at Rs. 1,479, Rs. 1,253 respectively per month after deducting the remuneration for the period of absenteeism as per Clause 9 above. From this it is clear that the contention of the First Party Claimant that she was employed as a Casual Labour by the Second Party Management is incorrect. On the basis of available evidence in this case, it can be easily concluded that the First Party Claimant, Smt. B. Rani

was permitted to attend the work of sweeping/scavenging in the office of the Second Party Management, subject to the terms and conditions of the yearly agreement of contract work which are exhibited W4 and W5. The Claimant was permitted to work in the office of the Second Party subject to the terms and conditions in yearly agreement cannot be denied. The condition no. 15 in that agreement for contract work runs as follows : "The party of the first part shall have the right to terminate the contract if the party of the second part absents himself/herself for work for more than three consecutive days. There is no clause in the agreement of contract, Ex. W4 and W5 that the Claimant, B. Rani can avail Maternity Benefit during the period of contract. It is admitted that the Claimant, Smt. B. Rani absented herself for work for more than three consecutive days. It is her contention and evidence that she worked upto 20-2-99 and was admitted in the hospital on 21-2-99 and delivered a female child on 22-2-99 A/N. She has further contended that she applied for leave on 23-2-99 upto 31-3-99. But, she has not filed any copy of the leave letter. It is her contention and evidence that she gave intimation to the Caretaker about her admission in the hospital for delivery. In her evidence only, she has stated that she sent a leave letter on 24-2-99 to the office informing them about her child birth requesting for grant of one month leave. She admits Ex. M1 as the copy of the leave letter she has sent. It does not bear any date on which it was sent. It bears the initial with dt. 4-3-99 to show that it was received by the Management on 4-3-99. In her evidence she has stated that she asked her elder brother on 22-2-99 to inform the Caretaker in the office about her hospitalisation for delivery. But, she has not stated so in the Claim Statement or in her undated leave letter, Ex. M1. In support of her evidence, her elder brother has not been examined as a witness on her side. Because of her absence from work, the Management has sent a letter dt. 9-3-99, under the original of Ex. W1, informing the Claimant, Smt. B. Rani that because of her absence from duty w.e.f. 22-2-99 which is in violation of Clause 15 of contract work entered into with the Deptt. on 1-6-1998, and as such as per the terms of reference in the said agreement, your contract services are terminated with immediate effect. This action of the Management, Second Party taken against the First Party Claimant, Smt. B. Rani is in accordance with Clause 15 of the agreement of contract under Ex. W4. Subsequent to the termination of the contract work of the Claimant under Ex. W1, she has sent a representation under Ex. W2 to the Regional Labour Commissioner, Chennai. In that she has stated that she is eligible for maternity benefit and in pursuance of the same, as it is stated in the Claim Statement of the First Party Claimant, the Management gave her Rs. 2,046 as maternity benefit for six weeks w.e.f. 22-2-99 on the advice of the Asstt. Labour Commissioner (C-)-II Chennai to the Chief General Manager, Telecom under his letter dt. 11-11-99. Ex. W3 is the copy of the communication sent to the First Party Claimant by the Second Party Management office. It shows the sanction of maternity benefit for six weeks w.e.f. 22-2-99 to the Claimant as Rs. 2,046. Taking advantage of the sanction of the maternity benefit of the Second Party Management the First Party Claimant has contended that the termination of the Claimant on

the ground of absence for three consecutive days, illegal and void since she was paid Rs. 2,046 as wages towards maternity benefit for six weeks w.e.f. 22-2-99 and hence, she was granted maternity leave and wages were paid for that six weeks and hence the question of absence for these consecutive days does not arise and as such the termination on the ground of absence of the Claimant from 22-2-99 is illegal and void. The perusal of the entire record in this case clearly shows that there is no employer and employee relationship between the first and second Party and the First Party was permitted to attend the work of sweeping/scavenging in the office of the Second Party only under the terms and conditions of agreement to contract work under Ex. W4 and because of violation of Clause 15 in the agreement, the contract under Ex. W4 was terminated by the Second Party under the original of Ex. W1. Under such circumstances, there is no question of termination of First Party Claimant as Casual Labour by the Second Party Management. It is clearly contended by the Second Party Management that on humanitarian view, a sum of Rs. 2,046 was given to the Claimant for six weeks period though she was not eligible and that such concession given to the Claimant not out of the terms of the agreement and it cannot be taken as legal ground for reinstatement. So, on the basis of these facts, it can be concluded that the First Party Claimant cannot have the right to claim the relief she has made in this dispute on the ground that the Management's payment of maternity benefit to her is only on the basis of granting her maternity leave and wages for her period of absence and that there is no violation of terms in the agreement of contract. So, the First Party Claimant cannot make a demand for reinstatement by the Management of the Deptt. of Telecom and her demand is illegal and unjustified. So, she is not entitled to any relief. Thus, I answer the point accordingly.

7. In view of the above findings, I come to the conclusion that the demand for reinstatement of Smt. B. Rani by the Management of Deptt. of Telecom is not legal and justified. Hence, she is not entitled to any relief prayed for. Thus, I pass this no relief award accordingly without cost.

Dictated to the Stenographer and typed by him direct and corrected and pronounced by me in the open court on this day, the 6th November, 2000.

K. KARTHIKEYAN, Presiding Officer

#### WITNESS EXAMINED

For Claimant|I Party : WW1. Smt. B. Rani.

For Management|II Party : None.

#### DOCUMENTS MARKED

For Claimant|I Party

Ex. W1 9-3-99 : Termination of Contract Services.

Ex. W2 June '99 : Request for cancellation of irregular order of termination of services and reinstatement and payment of maternity benefit.

Ex. W3 27-1-2000 : Memo No. CSS|CONT|99.

Ex. W4 1-6-98 : Agreement form for contract work of cleaning|sweeping|scavenging at the Office of the Chief General Manager, Telecom, Tamil Nadu Circle, Chennai for the year 1998-99.

Ex. W5 2-6-97 : Agreement form for contract work of cleaning|sweeping|scavenging at the Office of the Chief General Manager, Telecom, Tamil Nadu Circle, Chennai for the year 1997-98.

For the Management|II Party

Ex. M1 4-3-99 : Requisition for leave on medical grounds.

नई दिल्ली, 24 नवम्बर, 2000

का.आ. 2745.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार द्वारा संचार विभाग के प्रबंधन के संबंध में नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-2000 को प्राप्त हुआ था।

[सं. एल-40012/251/99-आई.आर. (डी.यू.)]  
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 24th November, 2000

S.O. 2745.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 24-11-2000.

[No. L-40012/251/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT, LUCKNOW

Presiding Officer : Rudresh Kumar.

ADJUDICATION

BETWEEN

Phoolman Yadav  
S/o Ram Lochan Yadav  
Gram : Barded, P.O. Bhagta  
Vishwanathpur  
Distt. Basti.

AND

Divisional Engineer  
Telephone Faizabad Division  
Faizabad.

By reference No. L-40012/251/99/IR(DU) dated 29-10-1999, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause

(d) of sub-section (1) of Section 10 I.D. Act, 1947 made over this industrial dispute between Phoolman Yadav and Divisional Engineer, Telephone, Faizabad Divn. Faizabad for adjudication. The reference is re-produced as under :

“Whether the action of the Management of Telecom Department in Terminating the Services of Phoolman Yadav w.e.f. 3-6-1992 was legal and justified ? If not, to what relief the workman is entitled ?”

Shortly put : the workman Phoolman Yadav was engaged in the year 1973 and worked till 1981 as casual labour. By selection process initiated vide notice dt. 20-8-79 and interview on 24-11-1980, he was selected as group-D employee. He was treated group-D employee w.e.f. 3-8-1991 and was working at Kaiserbagh Exchange under the Asstt. Engineer. All of sudden, on 7-8-1981 during performance of duty, he developed mental imbalance and was taken to his house by the officers|officials of the Telephone department. He remained under treatment for several years and was declared fit by the medical authorities in June 1992. On being declared fit, he reported for duty on 3-6-1992 but was denied joining on one pretext or the other. It is alleged that refusal by the management to join duty was illegal and unjustified and amount to termination of his services without observing legal procedures and requirements of Section 25-F I.D. Act.

The workman filed an application before the Prescribed Authority, under the Payment of Wages Act, but withdrew his claim on the ground of wrong legal advice given to him and raised this industrial dispute claiming reinstatement with back wages.

Engagement of Phoolman Yadav as casual labour since 1973, and his selection in the year 1981 does not denied. Management states that the workman, as regular group D employee, did not join on selection and thus, forfeited right of service. Issuance of Memo No. E-8|RECT|LW dated 10-12-1981 is proved as Ex-M1. Admittedly, he remained ill and unfit to perform duties since 20-9-1981 (7-8-81 as per averment in the claim statement) to 2-6-1992 i.e. for more than 10 years and in this situation, his plea of having worked as regular group-D employee is false. There existed no employer-employee relation and so the claim of reinstatement is misconceived. Another plea of the management is that the workman sought relief of wages before the Prescribed Authority in PW case No. 184/96 and so he can not invoke adjudicatory jurisdiction of this Tribunal for claiming reinstatement and wages.

The workman has substantiated that P.W. case was filed under wrong legal advice and later withdrawn and no case is pending. The management did not permit him to join and refused to pay wages, hence PW case was filed. Filing of that case will have no effect on this industrial dispute, in which the legality of termination requires determination.

There is nothing to warrant adverse inference because a PW case was filed. The core issue of employer-employee relation could not have been decided in PW case. This industrial dispute was correctly raised. So, it is appropriate to examine evidence

tendered by the parties, with a view to justify action of the management.

Management plea is that the absence of employer-employee relation, because of non-joining of the workman, there was no question of termination of services. The workman, fell ill on 7-8-81/20-9-81 as per his own admission, hence he could not have joined till 2-6-1992 i.e. for more than 10 years. If so, his right to seek joining stood forfeited. The plea seeking reinstatement is misconceived and needs rejection.

Admitted case of the parties are : that the workman had uninterruptedly worked from 1971 and his long association with the management entitled him to be selected as a regular group-D employee without test. It is evident from the list dated 10-12-1981. The workman's name finds reference at serial number 20 and mentions selection on 'no-test' basis. Evidently, his case was one of regularisation and not a fresh selection. The said order also mentions "On joining of duty by Phoolman Yadav as Chowkidar under Asstt. Engineer Carrier & VEG installation, Lucknow Sri. .... to Faizabad at his own request....". This implies that the management was aware with the illness of the workman. Facts reveal that the workman remained unfit for a very long period and reported for duty on 3-6-1992. Management did not file any evidence to show that it took any action by way of issuing notice to the workman asking him in by a specific date failing which employer-employee relation would stand severed or his regularisation would stand rescinded. Even evidence is lacking that his name was struck off with due notice to him. On selection, unlike a fresh selectee, the workman was not required to join afresh in stipulated time. There is no evidence on record that the management issued notice to the workman to join in a stipulated period. On regularisation, the workman acquired lien over the post and was not a casual labour to have lost the job by automatic-forfeiture.

A number of letters filed by the workman in P.W. case Ex. 1 to 21 were relied by the management. These letters indicate anxiety and efforts of the workman to seek joining. Nothing is on record as when and in what manner and by whom the name of the workman was struck off. This evidence was available with the management and it has failed to justify its stand the contention of the management of automatic forfeiture is unacceptable in the facts and circumstances of the case. There was never any abandonment, rather constant efforts by the workman to get his job, is evident. Denial of joining on being fit, the management acted illegally and its action was not legal and justified. Elementary requirement of giving notice before striking off his name was not observed by the management. Thus, the action of the management in terminating services of Phoolman was unjustified and illegal.

It requires consideration as to what relief the workman is entitled? It is admitted that the workman became a mental case and remained unfit for more than 10 years Since 1981 he had not worked because of his mental sickness or denial of job by the management. In the last about 20 years, the telecom department had to take technological advances, the utility of the workman after such a long period may not be

to the needs of the management. In this back-ground, instead of reinstatement, the workman may be compensated by a lump-sum award. In facts and circumstances of the case, Rs. 1.50 (One and Half) lakhs is fixed as lump-sum compensation.

Accordingly, the award is as follow :

- (a) the action of the management in terminating the services of Phoolman Yadav was not legal or justified, and
- (b) the workman instead of reinstatement, is compensated by lump-sum award Rs. 1.50 (One and Half) lakhs only. Management shall pay the amount within three months from the date of award, failing which the workman would be entitled to 12% interest till the date of payment.

LUCKNOW

10-11-2000.

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 29 नवम्बर, 2000

का.आ. 2746.— कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप धारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एतद्वारा 01 जनवरी, 2001 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 अध्याय 5 और 6 [धारा-76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी हैं] के उपबन्ध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे अर्थात् :—

“खम्मम नगरपालिका में आने वाले सभी क्षेत्र, खम्मम शहरी मंडल में आने वाले राजस्व ग्राम खानापुरम (एच), बल्लेपल्ली, रघुनाथापालेम, वेलुगुमटला, थम्मलापुरम, कोया-चेल्का, वा वेंकटयापालेम, रेगुलाचेल्का खम्मम (ग्रामीण) मंडल में आने वाले राजस्व ग्राम गेलापाडु, पोलेपल्ली, वेदु-लापुरम, गुरीलापाडु, मडुलापल्ली, तेल्लडारपल्ली, कामाचिकल, मल्लेगुडु, दानवाईगुडिम, वारुगुडिम, एम वेंकटयापालेम, पल्लेगुडिम, मुतागुडिम तथा गुडिमल्ला, चिन्तकानि मंडल में आने वाले राजस्व ग्राम बन्धनम, वल्वापुरम तथा पंथि-ल्लापल्ली।

[संख्या एस-38013/50/2000 एस.एस. I]  
जे. पी. शुक्ल, उप सचिव

New Delhi the 29th November, 2000

S.O. 2746.—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2001 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except Sub-section (i) of Section 76 and Section 77, 78, 79 and 81 which have already

the said Act shall come into force in the following areas in the State of Andhra Pradesh namely :—

“The areas falling within the limits of Khammam Municipality and the revenue villages of Khanapuram (H), Ballepalli, Raghunadhapalem.

Velugumatha, Dhamsalapuram, Koya Chelka, V. Venkatayapalem,

Regulachelka in Khammam (U) Mandal, Goliopdu, Polepalli,

Yedulapuram, Gurralapadu, Maddulapalli, Teldarpalli, Kamanchikal,

Mallemadugu, Danavaigudem, Barugudem, M. Venkatayapalem,

Pallegudem, Muthagudam and Gudimala in Khammam (Rural) Mandal,

Vandhanam, Basvapuram and Pandhillapalli in Chintakani Mandal of Khammam District”.

[No.S-38013/50/2000-SS.I]

J. P. SHUKLA, Dy. Secy.

#### CORRIGENDUM

New Delhi, the 30th November, 2000

S.O. 2747.—In the notification of the Government of India in the Ministry of Labour S.O. 270 dt. the 12th Jan, 2000 published in the Gazette of India, Part II Section 3, Sub-section (ii) dated the 29th January, 2000 :—

- (i) For “Mamdipalem” read “Mamidipalem”
- (ii) For “Mukhinuthalapadu” read “Mukthainuthalapadu”
- (iii) For “Yeracherla” read “Yerracherla”.

[No. S-38013/2/2000-SS.I]

J. P. SHUKLA, Dy. Secy.

#### CORRIGENDUM

New Delhi, the 5th December, 2000

S.O. 2748.—In the notification of the Government of India in the Ministry of Labour S.O. No. 1666 dated the 6th July, 2000 published at page 5199 in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 22nd July, 2000 for “1st July” in English version read “1st August”.

[No. S-38013/29/2000-SS.I]

J. P. SHUKLA, Dy. Secy.

नई दिल्ली, 1 दिसम्बर, 2000

का.आ. 2749.— केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (द) के उपखंड (VI) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 1476 दिनांक 19-6-2000 द्वारा भारत सरकार टकसाल, नोइडा को उक्त अधिनियम के प्रयोजनों के लिए

19-6-2000 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (द) के उपखंड (VI) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 19-12-2000 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है ।

[फा.सं.एस.-11017/1/94-आई.आर. (पी.एल. )]

एच. सी. गुप्ता, अवर सचिव

New Delhi, the 1st December, 2000

S.O. 2749.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of Sub-clause (vi) of the clause (n) of Section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 1476 dated 19-6-2000 the services in India Govt. Mint, Noida to be a public utility service for the purpose of the said Act, for a period of six months from the 19-6-2000.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 19-12-2000.

[No. S-11017/1/94-IR(PL)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 1 दिसम्बर, 2000

का.आ. 2750.— केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (द) के उपखंड (VI) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 1478 दिनांक 19-6-2000 द्वारा भारत सरकार टकसाल, कलकता को उक्त अधिनियम के प्रयोजनों के लिए 19-6-2000 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 19-12-2000 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा.सं.एस.-11017/1/97-आई.आर. (पी.एल.)]

एच. सी. गुप्ता, अवसर सचिव

New Delhi, the 1st December, 2000

S.O. 2750.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of Sub-clause (vi) of the clause (n) of Section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 1478 dated 19-6-2000 the services in India Govt. Mint, Calcutta to be a public utility service for the purpose of the said Act, for a period of six months from the 19-6-2000.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 19-12-2000.

[No. S-11017/1/97-IR(PL)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 1 दिसम्बर, 2000

का.आ. 2751.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिमूचना संख्या का.आ. 1531 दिनांक 27-6-2000 द्वारा करेंसी नोट प्रेस, नासिक रोड को उक्त अधिनियम के प्रयोजनों के लिए 27-6-2000 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों

के लिए 27-12-2000 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा.सं.एस.-11017/3/91-आई.आर. (पी.एल.)]

एच.सी. गुप्ता, अवसर सचिव

New Delhi, the 1st December, 2000

S.O. 2751.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S. O. No. 1531 dated 27-6-2000 the services in Currency Note Press, Nasik Road to be a public utility service for the purpose of the said Act, for a period of six months from the 27-6-2000.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 27-12-2000.

[No. S-11017/3/91-IR(PL)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 1 दिसम्बर, 2000

का.आ. 2752.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिमूचना संख्या का.आ. 1530 दिनांक 26-6-2000 द्वारा भारत सरकार टकसाल, चैरनापल्ली को उक्त अधिनियम के प्रयोजनों के लिए 26-6-2000 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 26-12-2000 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा.सं.एस.-11017/3/98-आई.आर. (पी.एल.)]

एच.सी. गुप्ता, अवसर सचिव



New Delhi, the 1st December, 2000

S.O. 2752.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S. O. No. 1530 dated 26-6-2000 the services in India Govt. Mint, Cherlapally (Ranga Reddy) to be a Public utility service for the purpose of said Act, for a period of six months from the 26-6-2000.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 26-12-2000.

[No. S-11017/3/98-IR(PL)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 1 दिसम्बर, 2000

का.आ. 2753.—केन्द्रीय सरकार संतुष्ट है कि लोक-हित में ऐसा अपेक्षित है कि किसी भी तेल क्षेत्र, सेवा में सेवाओं को जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 17 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम

के प्रयोजनों के लिए लोक उपयोगी सेवाएं घोषित किया जाना चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ढ़) के उपखंड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से 27-12-2000 की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं. एस.-11017/10/97-आई.आर. (पी.एन.)]

एच.सी. गुप्ता, अवर सचिव

New Delhi, the 1st December, 2000

S.O. 2753.—Whereas the Central Government is satisfied that the public interest requires that the services in the any Oil Fields which is covered by item 17 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period ending 27-12-2000.

[No. S-11017/10/97-IR(PL)]

H. C. GUPTA, Under Secy.